

A
DETECTION
OF THE
Court and State
OF
ENGLAND
DURING
The Four last Reigns,
AND THE
INTER-REGNUM.

Consisting of
Private Memoirs, &c.
With Observations and Reflections.

ALSO AN
APPENDIX
DISCOVERING
The Present State of the Nation.

In Two Volumes.

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AN
APOLOGY
TO THE
READER.

T*Hat Man has lived long enough, who has out-lived the Love and Piety he owes to his Native Country ; by my Native Country, I do not mean the fertile and pleasant Soil of Britain ; nor the sweet and temperate Climate of it ; nor the manifold Varieties which it naturally abounds with, for the use and conveniences of Human life ; nor yet the pleasant and excelling Rivers which waters it ; nor the noble Havens, and abundance of most open Ports, from which it supplies other Parts of this our habitable Globe, with the super-abundance of those Commodities wherein it excels, and whereof the Inhabitants of those Parts stand in need ; and where the Waters flow, as well as ebb, as if they invited the World to Trade with us, as well as we with them : But by my Native Country, I mean the Constitutions and Laws of the English Monarchy, which have continued for near 900 Tears, viz. since King Egbert*

A 2

An Apology to the Reader.

bert made a Decree, that laying aside the Names of Britans and Saxons, the whole Nation of that part of Britain, under his Dominion, should be called England.

Under these Constitutions and Laws have all English Men ever since, without any Act of their own Will, been born in Subjection, and by them have been protected in their Lives, Liberties and Estates; and to Govern by these Constitutions and Laws, have been the Claims of our Hereditary Monarchs, who have ever since Governed England; and though the Succession of the Kings of England have been often changed in the Saxon, Danish and Norman Race of Kings, yet these Laws and Constitutions have been ever since preserved, notwithstanding the Attempts of many of the Kings of the Norman, and I may say, of the Scottish Race too, to have subverted them, which, I believe, is more than can be said of any other Monarchy in the World, out of Britain: So that in our English Government, the Constitution and Laws of it, are as well the Rules of the King's Dominion, as of the Subject's Allegiance to the King; and when the Majesty of the King is arrayed in Judgment, Justice and Mercy, then for Subjects to resist him is High Treason in this World, and Damnation in that to come; and, I think, I may truly say, no People in the World are more Honourers of their Kings, yet more jealous of preserving their Constitutions

An Apology to the Reader.

stitutions and Laws than the English; whereby they have preserved their Government, now France and Spain, whose Government was like ours, have lost it.

But when the Kings of England will not make the Laws and Constitutions of England to be their Will, but their Will differing from these, to be the Laws and Constitutions of it; then a divided Dominion will necessarily follow, and it will be impossible for the Subject to obey both: The King hereby puts himself out of God's protection, whose Vice-Gerent he is in governing by the Laws, and misplaces his Majesty which is founded in the Honour, Love and Obedience of his Subjects, upon Minions and Favourites, whose Servant he makes himself; and these shall be the first who shall forsake him, when any Adversity shall come upon him. Our Chronicles give Instances hereof in the Reigns of King John, Hen. 3. Edw. 2. and Rich. 2. And the design of this Treatise is to shew the Consequences that have been produced hereby in the Reigns of the Kings of the Scottish Race.

In this regular Monarchy, the Kings of England do not abrogate old Laws, nor impose new, nor raise Monies from the Subject above the Revenues of the Crown, without Consent in Parliament, and hereby the Kings of England reign in the Love and Obedience of their Subjects, and are freed from the imputation of Tyranny in San-

An Apology to the Reader

guinary Laws, and from Oppression in the Taxes granted in Parliament, which no Absolute Monarch is, and are more absolutely obeyed in both, than any absolute Monarch, who makes his Will the Law of his Subjects,

This Division of the Will of a King of England, does not only distract the Allegiance of his Subjects, so that the divided Will of the King must necessarily prevail over the Laws and Constitutions of it, or these prevail against the divided Will, for both are incompatible, and cannot subsist together ; But this Distraction gives life and motion to the ambitious Humor of Malecontents, who are impatient as well of Regal Government, as of submitting to the Laws and Constitutions of it. And I submit my self to the Judgment of any impartial Reader, if this Divided Will in the Prince, did not give that life and motion to the Ambition of the Factions in England, Scotland and Ireland, which not only raised Civil Wars in all of them, but brought destruction upon K. Charles the First, as well as the Laws and Constitutions of them : However I will take notice of the Loyalty of the English Nation, both to K. James the first, and K. Charles the first, that tho these Kings were forreign born to our Laws and Constitutions, yet it patiently submitted to their Usurpations for above 35 Tears ; whereas when King Charles the First thought he had wholly subdued this Kingdom to his Will, and
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An Apology to the Reader.

endeavour'd to have done the same in Scotland, (his Native Country) the Scots would not endure it so many Weeks, as the English had done Tears, but rose against it first in Tumults, after in open Arms, and the Discontented Parties in England joining with them, however disjoined from one another, brought on those Civil Wars in all the Kingdoms of England, Scotland and Ireland, which brought Destruction to the King, as well as Kingdoms.

In writing this History, I cannot say with the noble Babtrista Nani, I have any Command from my Prince, or any other to do it; neither will I pretend to such great Advantages as he had gratis, by a free access to the Records, and most secret Councils of my Country; though I must not say I have been wholly destitute of some, for else such an Undertaking would render me guilty of the highest Arrogance; but what those have been, I judge not pertinent here to relate, they will best appear by the Work it self: Yet I can say with Nani, that I have not suffered my self to be defiled with Partiality (which hath so prevailed in all the Writers of the late and present Times that I have seen) but passing by the privilege of venerable Antiquity, which to a face of Truth hath another close adjoining, that of Falshood; I have chosen to expose my self to Tryal, and perhaps to Reproof, and that I might render a Testimony of more Authority to Posterity

An Apology to the Reader.

ty, to write the Story of the present Age, to the Age it self, and I am not only induced hereto by the Authority of so noble an Historian, but by the Reason of History: For many Accidents and Circumstances, which are no part of the Records of Time, and which soon dye and are forgotten, are so interwoven in History, as to make it entire, and of one piece, and which not only enliven it, and create pleasure in reading of it, but without them History becomes disjointed; and is made up of broken pieces.

And I can, in part, say with the Noble Nani, and in his own words, That to Compose Histories is sacred, and not to be undertaken, but with an upright Mind, and undefiled Hands; and that for that Cause, the Memory of them was consigned to the Temple, under the faithful Custody of the Chief Priests, as the Witness, or Trust of those that went before, and the Treasure of those that should come after; not to be handled, but as a Religious thing, and with great caution. In sum, the Historian taking to himself an Absolute Dictatorship, nay, an Authority more than Human, over Times, Persons and Actions; governs Fame, measures Deserts; penetrates Intentions; discloses Secrets, is, with an undistinguished Arbitrament over Kings and People; the Judge
of

An Apology to the Reader.

of Ages past, and Master of those to come, Absolves or Punishes, Deceives or Instructs. Whence, not without Reason, the Pen of Writers may be compared to the Lightning, which striking out but one Letter from the Name * *Cæsar Augustus*, made him a God; because *Praise* is a thing so tender, that one Dash makes *Illustrious*, and a little Blot *Infamous*, and the Censure of the World thereupon is so severe, that it either Consecrates to Eternity, or proscribes to Infamy. For my self I know not what else to wish, but that every one would take upon him to read this Work, with the same disinterested and innocent Mind with which I have wrote it, confining my Confidence in this one thing, that the present Age will not be so unjust to me, nor so ungrateful to Posterity, as to deny me the Opinion of Sincerity.

* *Æsar in the Tuscan Tongue is, a God. See Suet. c. 97. in the Life of Augustus.*

It was Nani's felicity to write the Stories of the Times, when the Prudence of the Venetian Senate, not only preserved their State from the Tumults of War, wherein Christendom was engaged, but in a great measure was Arbitrator of it: So that the Wars which Nani writes of, were like Thunder afar off, yet herein Nani expatiates his Story in a short time, scarce 30 Years, into a large Volume; whereas, without looking

An Apology to the Reader.

ing after any thing abroad, but what relates to my Story, I am contracted to the unhappy Story of my Native Country, to shew from what Causes such a train of Consequences have followed; that England, which before was the Ballance which turned the Scale of the Affairs of Christendom to that side it inclined, not only fell from this envied height, and became the most despicable of all other States, but sunk into the most miserable State of Abject and Pity.

I am the rather induced to write the Story of these Times, because the Hackney-Writers of them (at least those that I have seen) have not only taken things in the midst, without assigning the Causes; but being interested Parties, their Writings have been either fulsom Flatteries, or Invectives against one another, tending to the fixing of the Distempers of the Parties, without regard to the Publick, or assigning the Cause of the Distempers: But herein I except the Collections of Mr. John Rushworth, who tho interested in the Factions of the late Times, hath so faithfully delivered them over to Posterity; and I could have wished, (tho I know not from whence he had it) that he had not mentioned in that part of King James his Speech to the Parliament 18 Jac. that the Parliament is made up of the three states, the King, the Lords and Commons, and this is the main part of his Collections, which Franklin and Nalson so carp at; yet both these differ not only from

An Apology to the Reader.

from one the other in reciting it, but from the Record of Parliament, for I have perused them with it, according to the Copy which Mr. Petit has taken.

For my part I can truly say, that as I never complied with any of the Factions in the late, or present times ; so my Ancestors stood firm to the Laws and Liberties of the Nation, and were sufferers, both before, and in the late Troubles and Civil Wars, and in these Circumstances, am less disposed to favour or flatter any Party, than another who is interested in any of them.

I expect it will be objected against me, that in writing this History, I have sometimes been transported into an heat, unbecoming an Historian : I answer, that it may happen a Man may be angry, and not sin, especially when the Offence relates to the Dishonour of God, the King, or the publick destruction, or distraction of the Country, where Men are protected in their Lives, Liberties and Fortunes ; but if I have erred herein, I shall but be in the number of Lactantius, who wrote the Relation of the death of the persecuting Emperors of the Christians ; and of Suetonius and Tacitus.

It was the unhappy Fate of Europe, that the Miseries and Calamities which succeeded the Divided Will of the four Kings of the Scottish Race, from the Laws and Constitutions of this Nation, were not terminated within the limits of the Kingdoms

An Apology to the Reader.

doms of England, Scotland and Ireland, but were the Occasion of the first Rise, and growing Grandeur of France, through the boundless Ambition of Cardinal Richlieu, and the present French King, both by Sea and Land, as well to the terror of Christendom, as of these Nations, and this Story will, in some measure, trace the steps of them.

This Treatise, I suppose, will displease two sorts of Men, whom I will never take care to please: One, who exalt the Divided Will of the Prince above his Royal Capacity, in Governing by the Constitutions and Laws of the Kingdom: The other, those which are impatient under Regal Government, and the Constitutions of this Kingdom.

I have been more particular herein, because notwithstanding the Calamities, which this Divided Will of the King had brought upon the Nation in the late Civil Wars, and after; yet after the Restoration of King Charles the 2^d. the Nation was more fiercely rent in Divisions, under the Names of Whig and Tory, than it was before the Wars; and these last having the Dominion of the Press, and Favour of the Court, made it their business to irritate and provoke all others not of their Faction; and if any opposed them by Writing, when they could not Answer, to persecute them for Printing without a License, though not unlawful in its self, yet unlawfully printed,

INTRO-

INTRODUCTION.

WHen King *James* became King of *England*, the Kingdom of *France* was bounded on the North with the *British* Sea, from *la Bresle* on the East, where this River which parts *Normandy* from *Beloignois* discharges it self into the Sea, and in the Latitude of 50 Deg. North, and 5 Min. from whence West and by South it extends it self to *Portsal* in *Britagn*, about 340 Miles distance, and in the Latitude of 48 Degrees ; and North and by East from *la Bresle* to *Calais*, which lies in the Latitude of 50 Degrees, 40 Minutes.

From *Portsal* to the South, inclining into the East, upon the Bay of *Biscay*. *France* extended it self to *St. Jean de Luz*, which is the Frontier to *Spain* in the Latitude of 44 Degrees, and from *St. Jean de Luz* East and by South, it extended it self along the *Pyrenæan* Hills to *Perpignian* in the County of *Rosillon*, in the Latitude of 42 Deg. 30 Min.

From *Perpignian* on the South to *Piedmont*, on the East towards the North, it was bounded by the *Mediterranean* Sea, and from *Calais* on the North ; the Eastern parts of *France* to the South was bounded by the *Spanish Netherlands*,
Lorrain,

Introduction

Lorrain, Alsace, the State of Geneva, Savoy and Piedmont. The Continent was near three fold more than *England, including Wales.*

Before the Reign of *Ferdinand and Isabella* in the Year 1474. *Spain* was divided into six Kingdoms, whereof four were Christian, viz. the Kingdoms of *Castile and Leons, Arragon, Navarre and Portugal*; and two Mahometan, viz. *Granada and Murcia.* But when *K. James* came to be King of *England*, all these Kingdoms were United under *Philip the 3d. King of Spain.* *Ferdinand and Isabella* having conquered the Kingdoms of *Granada and Murcia*, after *Isabella's* death, *Ferdinand* conquered *Navarre*, and *Philip the 2d.* Claimed and Conquered *Portugal* in 1584. after the death of *Don Sebastian*, who was overthrown and slain by the King of *Fez and Morocco* in 1580. All these Kingdoms thus united were greater than *France* by about $\frac{1}{3}$. *Spain* thus united, is a *Peninsula*, having on the North-East and South-East the *Pyrenean Hills*; on the North East is *Fontarabia*, and on the South-East *Cape de Creux*; the rest of *Spain* is environed by the Bay of *Biscay* on the North, by the *Atlantic Ocean* on the West and South to *Gibraltar*, and to the North East by the *Mediterranean Sea*, from *Gibraltar* to *Cape de Creux*.

The North of *Spain*, viz. the North of *Biscay* and *Galicia*, is in the Latitude of 44 Degrees,

Introduction.

grees, North, and the South parts of *Andaluzia* and *Granada*, in the Latitude of 36 Degrees, 30 Minutes, but the extent of *Spain* about the middle Region of it from East to West, is more than from North to South, being near 14 Degrees, 20 Minutes in Longitude.

The Isle of *Britain*, is the greatest of *Europe*, it may be of the World, for ought is certainly known, at least none comparable to it, except *Madagascar*, or *St. Laurence*, and *Japan*, if it be an Island. The North of it is in the Latitude of 58 Degrees North, the South-East in 51 Degrees, and towards the West, inclines into the Latitude of 50 Degrees; Its bounded on the South by the Channel, or *Brittish Sea*; on the East by the *German Ocean*; on the North by the *Deucalionian Ocean*, and on the West by the *Virguvian*.

Britain is divided into two Kingdoms, *England* and *Scotland*, *England* including *Wales*, above $\frac{1}{3}$ greater; but incomparably a better and more fertile Soil, and a more temperate Climate, In a Northern Climate, lying South of *Scotland*.

The Kingdom of *Scotland* hath several Islands depending upon it on the North and West; on the North is a knot of Islands, or Rocks, called *The Orchades*, I cannot tell whether they be distinguished by Names; but
on

Introduction.

on the North of these, in the Latitude from 60 Degrees to 61 Degrees lies *Shetland*, or *Shotland*, which the *Romans* called *Ultima Thule*; and on the West are the *Hebrides*, the most considerable of them are, the Isles of *Mul*, *Sky* and *Lewis*.

Beside *Ireland*, and the Isles of our Western Plantations; The Isle of *Man*, which lies between *Lancashire* and *Ireland*; The Isle of *Anglesey*, which lies between *Wales* and *Ireland*; The Isles of *Wight*, *Garnsey* and *Jersey*, which lie in the *British Sea* between *England* and *France*; and the *Sorlings*, or Isles of *Silly*, a Knot of Islands about a Degree West of the Lands-end of *Cornwal*, are in the Dominion of the Kingdom of *England*.

Ireland is a Kingdom and Island, depending upon the Kingdom of *England*, greater than *Scotland*, and near as big as *England*, excluding *Wales*, and is near of an Oblong Figure, unless the Province of *Munster* inclines towards the West, near a Degree into the South. The North of *Ireland* lies in the Latitude of 55 Degrees, 30 Minutes North, and the South East in the Latitude of 52 Degrees, 30 Minutes, and the South West in the Latitude of 51 Degrees, 40 Minutes, the breadth from East to West is near 4 Degrees, 20 Minutes Longitude.

Ireland,

Introduction.

Ireland, on the North, is bounded by the *Deucaliedonian* Ocean, on the East by *St. George's Channel*, on the South by the *Atlantic* Ocean, and on the West by the *Veguvian* Ocean.

It will much conduce to open the Design of the ensuing Treatise, if we look back to the Dissolution of the *Roman Western* Empire, and what kind of Government succeeded in these Kingdoms of *Spain*, *France* and *England*, and to take a view of the Causes of the Ruin of the *Western* Empire.

As *Britain* was the first Country which received the Christian Faith, so *Constantine the Great*, the first of all the Christian *Roman* Emperors; was born a *Britan*, and became Emperor in the year of Christ 306. A Prince, who, as he excelled in Christian Piety, so was he adorned with all Moral virtues requisite in so great a Prince; and being zealously addicted to propagate the Christian faith and Religion, he chiefly intended these above all other things; but herein he met with great opposition; nor could he attain these ends, without shaking the strength and foundation of the Constitutions of the Empire.

For in propagating Christian Faith and Religion, *Constantine* was not only opposed by *Dioclesian*, *Maxentius* and *Maximin*, (who were Emperours before him) but by his Co-
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Introduction.

partner *Licinius*, and though he overcame *Maxentius*, *Maximin* and *Licinius* in War, yet the Christians, if they had been all of one piece, were not sufficient to support the Empire against the far more numerous *Gentiles* and *Jews*: Add hereto, that in the rage of the late Persecution under *Dioclesian*, *Maximinian*, *Maximin* and *Maxentius*, the Christians were so sore persecuted, that, excepting their Faith, and Piety for Christianity, they were unfit for any Civil or Military Employment; but so far were the Christians from being of one piece, that they were rent into the sects and Factions of *Marcionists*, *Montanists*, *Novatians*, *Donatists* and *Sabellians*; and in the 10 Year of *Constantine*, *Arius* broacht his blasphemous Opinion of our Savior's not being God from all Eternity, being the year of Christ, 316.

*We do not read that the *Romans*, before the Empire became Christian, ever made War upon any Nation, upon the account of Religion: and though there were many Sects among them of different Opinions, concerning their Gods, and their Attributes, and of God's presence, Fate and the Liberty and necessity of Human Actions, yet the different Sects never went further then brawls, and endless Contentions with one another; they never upon that account made any Schism or Separation from the publick Worship and Service

Introduction.

vice of their God's, prescribed by the Laws of the Empire.

And as among the *Gentiles*, so among the *Jews*, though the Opinions of the *Phirisees*, *Saducees* and *Fsseans* were as wild and Extravagant, as those of the Heathens, yet these were never esteemed by them to be Acts of *Jewish* Religion, nor upon that Account did they dispence, or separate themselves from the publick worship and Service of God, prescribed by Law.

Whereas the different Sects of the Christians not only Baptized their fond and wicked Opinions, many of which were the same with those of the *Gentiles*, by the Name of Religion; but took occasion from thence, to separate and disjoin themselves from the Communion, or publick Worship and Service of God prescribed by publick Authority: So as *Constantine* had a very difficult task, to govern the Empire in this distracted state, not only of the *Gentiles*, but of the Christians. But since Religion, is the highest Act of Piety, Devotion and Gratitude, which Man can return to God for his having preferred Man in his Creation and Generation, above all other Creatures, in giving him not only Dominion over them, but much more by enduing Man with an Intellectual and reasonable Soul, capable of Eternal happiness; and since Reli-

Introduction.

gion is not only mistaken in the Name and Exercise, but made, at this time, as much a stalking-horse to cover Men's Pride, and fantastical Opinions, as it was in *Constantine's* time, and since, to the Scandal of Christianity: I hope the Reader will not lose his time in understanding the difference between *Christian Faith* and *Christian Religion*, and herein what is to be ascribed to God, and what is the Duty of Man.

Christian Faith is a firm Belief and Reliance upon God's Promise revealed in the *Old* and *New Testament*, to the end that Man by his Faith, and Obedience to the Precepts which God requires of him herein, may be made capable of Eternal Happiness, from which he was fallen, by the Disobedience of our first Parents; so as Christian Faith, is the Effect of God's meer grace and favour to Man, wherein Man is only Passive in believing in God thus revealing himself; and submitting to the Precepts which God requires in the Scriptures.

Christian Faith does not absolve Man from any of the Moral Duties, which God requires of him by the Law of Nature: but more strictly Obliges Man to them; not only in his Speech and Actions, but forbids all Immoral Thoughts and Intentions; so that Christian Faith is so far from being incompatible

Introduction.

tible with Human Peace and Society in this World, that Man is more obliged hereto by it, than by the Law of Nature.

Christian Religion, is a conjoining of two or more in honouring and praising God for the publick Blessings they enjoy by God's favour, both as being by his Grace and Goodness received into the Communion of Christ's Congregation, as also being protected in their Lives and Fortunes in their several Societies and Governments : So that Christian Religion, is the Act of the Will of Man in conformity to Christian Faith, and Christian Faith and Religion differ, as Man's Understanding and Reason : God made Man without any Act of Man's Will, an intellectual Creature, to inform all his future Intentions, Speech and Actions ; and it is the Will of Man to Intend, Speak, and Act reasonably, or conformable to his Understanding. So that though Christian Faith be the same in all Countries and Places, yet Christian Religion must necessarily be different in different Countries and Places, as God, in his Providence, is pleased to Govern the World in them.

Thus the Children of *Israel* were obliged to join together in celebrating God's Honour and Praises, for his Deliverance of them out of their *Egyptian* Bondage, and for his immediate Government of them, and pre-

Introduction.

scribing them Laws for the support of this Government ; and for God's revealing himself to them in the Old Testament, which other Nations to whom God had not thus revealed himself, and thus governed them, could not do.

So all Christian Countries and Kingdoms, are as well obliged to join together in honouring and praising God for the publick Benefits they receive, in being protected in every Government in their Lives and Fortunes in this world, as well as in being received by God's special grace and favour into the communion of Christ's congregation: But Gods Providence in governing the World being after different manners, in divers Places, so must the Religion, or the manner of Celebrating God's Praises be differing in them. In *England* we are obliged to honour and praise God, that we enjoy God's Blessings by Laws peculiar to this Nation, and by being delivered from the Popish Conspiracy in 1605, &c. but other Nations which do not partake with us herein, cannot join herein with us, nor we with them.

Religion, or the conjoining of Men in honouring and praising God for the publick Benefits they equally receive from God, is the highest Duty incumbent upon Man, for though God by a peculiar Providence foresees,

Introduction.

fees, and provides for all Men in several manners, it may be, not for two alike in all the World, and also for these in daily varieties, yet Men are secured in these particular Blessings by the publick Laws and Governments of the different places wherein they inhabit.

Christian Religion being a conjoining of many in Celebrating God's praises, and in prayers for God's continuing his Mercies and Blessings; these Praises and Prayers are supposed be uniform and fore-known, that all who meet, may join with one voice and mind in them, and therefore *St. Paul, 1 Timothy. 2. 1. 2. 3. 4. 5.* exhorts *Timothy*; that first of all, (as for the highest Duty of Christians) that supplications, Prayers, Intercessions, and giving Thanks be *made* for all Men, especially for Kings, and all in Authority under them (*though at this time not only the Roman Emperours, but all Kings, and those in Authority were Heathen and Idolaters*, That we may lead a quiet and peaceable life in all Godliness and Honesty, For this is good and acceptable in the sight of God our Saviour, who will have all men to be saved, and come into the knowledg of the truth, for there is one God and one Mediator between God and men, the Man *Christ Jesus*. If therefore by divine precept or command from God, Suppli-

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cations,

Introduction.

cations, Prayers, Intercessions and Thanksgiving be to be made for Heathen Kings and Magistrates, much more are Christians obliged to make all these for Christian Kings and Magistrates.

All Kingdoms consist in the mutual Office of Commanding and Obeying, so that it is as well the Duty of Kings, and those who are in Authority to Command; as it is of the Subject to obey; and no Obedience can be, where there is no Command to which it is due, for where there is no Law, there is no Transgression, or Omission.

Though these Offices be distinct in their Relations, to the Governors and Governed, yet the Rules of these Offices are the same, and common to both, so as that they ought to be foreknown, as well to those in Authority to Command, as those who are subject to them; these Rules are the Laws and Constitutions of every Kingdom and Country, which unite them into one Incorporeal, or Intelligible Body, and under these, is Mankind in different Places, in divers Manners, maintained in Society and Concord.

These offices of Commanding and Obeying, are not only restrained to Moral Speech and Actions, but extend to Religious; for *the fear of God is the beginning of Wisdom*, as well in all publick, as private actions: So that
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Introduction.

all Civil Nations to whom God had not revealed himself, however they misplaced their Dieties in *Osyris, Isis, Jupiter, &c.* worshiped their Gods in publick manner, and had those Rites and Ceremonies which were fore-known, and these were performed by separate Persons ordained thereto.

As God governs the World, and all Creatures in it, so does he govern the Kingdoms in the World, and has set fatal Periods to them, as well as to the Life of man, and all other Creatures; yet as he has not in vain given Laws to Man to govern his Intentions, Speech and Actions by, and made him to subsist in the Labour of his Body, and Cares of Mind, or both; so has he not in vain commanded all Kingdoms and Nations to honour and serve him, and to live justly and peaceably with one another, and under these only can Kingdoms and Nations hope for Peace, and God's Blessing upon them.

So that it is not the extent of the Territories of Kingdoms and Nations, which is the strength of them, but the number of People in them: nor is it their well Peopling only, but their Unity in Religion, and Civil Government; for by these, small Dominions increase upon others, which are in Distraction and dissention; and where Kingdoms or Nations become distracted, or divided, either in Religion,
or

Introduction.

or Civil Government, they become, how Great soever they be, so much more enfeebled, and tending to outward and Intestine Dissolution, as these shall be more.

These Discords in Religion and Justice, have their beginnings oftentimes from Kings, and those in Authority, and often from the Subjects. It was *Solomon's* Wives, *1 Kings* 11, that turned away his heart from the Religion which God commanded, which was the Cause, *viz.* 11. That God rent his Kingdom of *Israel* from him, and gave it to his Servant *Jeroboam*; and it was *Jeroboam's* Idolatry which distracted the *Israelites* in Factions, which in time brought the *Babylonish* Captivity upon them, from which they never returned.

And as Discords in Religion often arise from Kings, and those in Authority, which enfeebles the Strength of Kingdoms and Nations, so does the Oppression, and Injustice of Kings, and Magistrates, when they are not God's ministers for their Subjects good, make Kings Instruments of their vile ends, to the damage of their Subjects: Thus *Rehoboam* to humour his Favourites bred up with him, preferred them before his Subjects, and threatened to oppress them more than his Father did; whereby he lost the Dominion of Ten of the twelve Tribes of *Israel*, not only from himself

Introduction.

self but from his Father's House for ever; and became so poor and feeble, that the King of *Egypt* took *Jerusalem*, and made spoil of all the wonderful Riches, which his Father had left him. It was *Ahabs* Covetousness and Injustice in the Murder of *Naboth*, and seizing his vineyard, that God not only disinherited his Posterity, but rooted them out from the Face of the Earth. *1 Kings 21. 21.*

And as this Discord in Religion and Justice may begin with the King, and those in Authority, so it may from those Subject to them. It was the People which by God's Immediate Command, forsook the Religion and Worship which God commanded them, and set up the *Molten Calf* to be adored and worshipped, *Ex. 32.* and it was the People which twice conspired to depose *Moses* from ruling over them, *Numbers 16.* which brought so great a Destruction upon them.

I do not Question, but it was the intolerable Tyranny and Oppression of *Dioclesian Maximinian*, *Maximin* and *Maxentius*, as well as their horrible Persecution of the Christians, so lively described by *Lactantius*, which gave so great a reputation to the Christians, and made *Constantines* passage to the *Roman Empire* more desirable, not only by the Christians, but even by the *Gentiles*. Nor was the *Roman Empire*, at any time, of a greater extent,

Introduction.

or Civil Government, they become, how Great soever they be, so much more enfeebled, and tending to outward and Intestine Dissolution, as these shall be more.

These Discords in Religion and Justice, have their beginings oftimes from Kings, and those in Authority, and often from the Subjects. It was *Solomon's* Wives, 1 *Kings* 11, that turned away his heart from the Religion which God commanded, which was the Cause, viz. 11. that God rent his Kingdom of *Israel* from him, and gave it to his Servant *Jeroboam*; and it was *Jeroboam's* Idolatry which distracted the *Israelites* in Factions, which in time brought the *Babylonish* Captivity upon them, from which they never returned.

And as Discords in Religion often arise from Kings, and those in Authority, which enfeebles the Strength of Kingdoms and Nations, so does the Oppression, and Injustice of Kings, and Magistrates, when they are not God's ministers for their Subjects good, make Kings Instruments of their vile ends, to the damage of their Subjects: Thus *Rehoboam* to humour his Favourites bred up with him, preferred them before his Subjects, and threatned to oppress them more than his Father did; whereby he lost the Dominion of Ten of the twelve Tribes of *Israel*, not only from himself

Introduction.

self but from his Father's House for ever ; and became so poor and feeble, that the King of *Egypt* took *Jerusalem*, and made spoil of all the wonderful Riches, which his Father had left him. It was *Ahabs* Covetousness and Injustice in the Murder of *Naboth*, and seizing his vineyard, that God not only disinherited his Posterity, but rooted them out from the Face of the Earth. *1 Kings 21. 21.*

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Introduction.

tent, unless under *Trajan*, than when *Constantine* became sole Emperor.

Whereas this *Roman* Empire in the body of it, was never in so distracted and feeble a state; for tho' *Constantine*, in regard of the Excellency of his natural Disposition, was universally acknowledged Emperor, yet above all things endeavouring the propagation of Christian Faith and Religion, and by his own Authority, without the Concurrence of the Senate, he granted an universal tolleration of Religion, to all Sects of Christians, as well as *Jews* and *Gentiles*, and not only discharged the Christian clergy, which by the Constitutions of the Empire (when they were not otherwise Persecuted) were subject to give their attendance upon defraying the *Lustrall* Sacrifices, and watch and Ward for security of the *Pagan* Temples; but made the Christians capable of receiving Legacies, and of all publick Employments, so as the Christians were not only in an equal, but better estate, than the *Gentiles*, and upon all occasions had the preference of *Constantine's* favour.

But however this displeased the *Gentiles*, it did not content all the Sorts of the Christian Hereticks, and Schismaticks who were so obstinate in their Opinions, that all the endeavours *Constantine* could use, would not
reconcile

Introduction.

reconcile them : For besides the *Nicene* Council, he called four more, viz. at *Gaul*, *Ancyra*, *Neo Cæsarea*, and *Laodicea*. But when the Hereticks and Schismatics would not submit to these, *Constantine* restrained them from the Privileges he before granted them, and left them in the same state they were before he became Emperor, yet not subject to to further Persecution.

This was so far from redressing the Factions, that they became more bitter against the *Orthodox* Christians than they were before, and the *Gentiles* countenanced the Hereticks and Schismatics herein, so that in many places were tumults and disorders, and many bitter Invectives, even against *Constantine* himself, were uttered by them. So that the whole body of the Empire was rent and torn into Parties and Factions, and *Constantine's* time wholly taken up about them, to the necessary neglect of the more important Affairs of the Empire.

To this state did the devilish pride of these Hereticks and Schismatics reduce the *Roman* Empire, I say devilish pride, for they were not content to submit, as Christ's servants to obey him in those plain and easily intelligible Precepts of the Gospel, but like *Lucifer* would be wise in understanding our Saviour's glorious Attributes, which as they are incom-

Introduction.

comprehensible to human understanding, so without invading God's prerogative, which he has not communicated to any Creature no man ought to inquire into them, and this misery attends all the wild and extravagant opinions, not only of the Christians, but of all the Sects of other Philosophers, (or rather Sophisters) about God, and his Attributes, that being founded in their Phantastick brains, they will submit to no Rule which God requires of man to determine them, and so they continue in endless Contention and Confusion.

These Hereticks and Schismaticks not content to be Co-partners with our Saviour in his Attributes, extended their blasphemous and extravagant opinions into the Objects of Religion (which neither the *Jews* nor *Gentiles* ever did) a Lie in diametrical Contradiction; for Religion is a publick Conjunction of men in celebrating God's praises for the publick Blessings they a-like received from God; whereas these for the Love-sake Opinion of their own conceits, disjoined themselves from celebrating God's praises for the Benefits they alike received from God, as Christians: How could the monstrous Opinions of the *Marcionists*, *Manichees*, *Novatians*, *Arians*, *Sebellians* and *Donatists*, absolve these from joining with their fellow Christians, in
giving

Introduction.

giving God thanks for their conversion to *Christian Faith*; and for their wonderful deliverance by *Constantine*, from the Rage and Persecution of *Dioclesian*, *Maximinian*, *Maxentius* and *Maximin*.

This was the Gratitude and Piety which these Men returned to God and *Constantine* for their deliverance, and if they made things thus bad in *Constantine's* Reign, they made them much worse after his death; for notwithstanding all the pious Endeavours of *Constantine* to the contrary, the *Arians*, above all other Sects, had over-spread the face of the *Roman Empire*, and his Son *Constantius* became an *Arian*, and not only revoked the Privileges which his Father had conferred upon the *Orthodox Christians*, and preferred the *Arians* (if they were worthy to be called Christians) before them, but by several Councils at *Tyre*, *Antioch*, and in the *East* (for *Constantine* divided the Empire between his three Sons, *Constantine*, *Constantius* and *Constans*, and the *Eastern Empire* was given to *Constantius*) revoked all the Decrees of the *Nicene Council*.

Nor was the Empire in much better condition in the *West*, for *Arianism* had over-spread the *Western*, as well as the *Eastern Empire*; and though *Constans* were not a Persecutor of the *Orthodox Christians*, as his
Brother

Introduction.

Brother *Constantius* was, yet *Liberius*, the Bishop (or, if you please, the Pope) of *Rome*, was an *Arian*, and one *Felix*, became a Competitor with him in his Bishoprick, or Papacy. In this hurly-burly stood the *Roman* Empire after the death of *Constantine*, wherein civil and military Discipline became neglected, till the Reign of *Julian the Apostate*, which was but 24 Years after the death of *Constantine*.

Julian (who succeeded *Constantius*) put the Case further than the *Arians*, for they would allow our Saviour's Divinity to exist to Eternity, though they denied it from Eternity ; whereas *Julian* would not allow him to be a Prophet ; and for the short time of his Reign, he made it his business to restore *Paganism* ; and to that end revoked all the Powers and Privileges *Constantine* had granted the Christians ; and granted a General Indulgence to all Sects of the Christians ; yet re-called all Exiled Bishops, whether Catholick, or Heretick, so that there was a Confusion among them in the Execution of their Offices ; but in all he countenanced the Hereticks against the *Orthodox*.

However *Julian* being a martial Prince, and the *Persians*, having in these Confusions of the *Roman* Empire, made Invasions upon it,

Introduction.

it; *Julian* raised a great Army, and marched against *Sapores*, the King of *Persia*; but in this Expedition *Julian* died, having reigned but one Year, and eight Months, to whom *Jovian* succeeded, who was a zealous *Orthodox* Emperor; but the *Gentiles* under *Julian* disliking *Jovian*, and the Christians being in Feuds and Factions, *Jovian* was forced to make an inglorious Peace with *Sapores*, and delivered up the City of *Nisibis* to him: However *Jovian* restored the *Orthodox* Christians to the Privileges and Immunities which *Constantine* had granted them, and left the *Pagans* and Hereticks to themselves: But *Jovian's* short Reign being, but seven Months, and odd days, could perfect no great matter.

To *Jovian*, *Valentinian* succeeded, who took his Brother *Valens* to be his Colleague; *Valentinian* was zealously *Orthodox*, and *Valens* as fierce an *Arian*: *Valentinian* granted a General Indulgence of Liberty to the *Pagans*, and all sorts of Hereticks, but favoured the *Orthodox*: But *Valens* denied Liberty of Religion to the *Orthodox*, though he granted it to all other Sects and Hereticks, and also to the *Pagans*.

In the third Year of the Reign of *Valentinian* and *Valens*, *Valentinian* made his Son *Gratian* a Co-partner in the Empire, and having

Introduction.

ving Reigned 11 Years died, leaving his Sons *Gratian* and *Valentinian* Emperors, but *Valens* Died three years after him, viz. Ann. 378. and no mention is made of his Issue.

By this time *Arianism* had over-spread the face of the Eastern Empire, and was so Established that the Orthodox Christians were forced to exercise their Religion in obscure Conventicles; besides the *Vise*, or *West Goths*, though *Arians*, had over-run *Thrace*, even to the Gates of *Constantinople*.

Gratian was Orthodox, and in this distracted Estate of the Eastern Empire, was fore pressed upon by the *Germans* in the Western; so that he judged his younger brother *Valentinian*, no ways qualified to restrain the warlike Progress of the *Goths*, or settle the Eastern Empire; and therefore chose *Theodosius*, for his Colleague. *Theodosius* was a *Spaniard* by birth, as well as *Trajan*, a most devout and Orthodox Christian, and a most valiant and expert Soldier, so that as *Trajan* was the most Glorious and August of all the Heathen Emperors, so was *Theodosius* (at least after *Constantine*) the most renowned of all the Christian Emperors; yet it was his fate that he should see his Native Country, to be the first that fell in the ruine of the Roman Western Empire.

Introduction.

Theodosius was made Emperor in the year 379, and forthwith raised an *Imperial* army, and marched against the *Goths*, and gained several signal Victories over them; and in the year 380 entered in Triumph into *Constantinople*, where he found it a much more difficult Task to re-establish the *Orthodox* Christians than to vanquish the *Goths*; for the *Arians* above forty years had been possessed of all the Revenue belonging to the Church; their Churches rich and Splendid, and their service magnificent; and the *Orthodox* being poor, and out of possession of any Churches, or Revenue, it was impossible to redress these in an instant, but by degrees; so that it was ten years before *Theodosius* could re-establish the *Orthodox* Clergy, and suppress the *Arian*.

In the mean time, viz. Ann. 381, the next year after *Theodosius* settled at *Constantinople*, *Alaricus*, King of the *West Goths*, (who were *Arians*) marched throw *Mæsia*, now called *Hungary*, *Germany*, and *Gaul*, into *Spain*; and without any fighting, or siege, that we read of, took Possession of the greatest part of *Spain*: So much was the ancient *Roman* Warlike Discipline neglected, while the Christians were in these Feuds and Discords among themselves; so that *Spain* which held the longest Wars against the *Romans* of all their

Introduction.

Conquered Dominions in *Europe*, was the first that was rent from the *Roman* Empire, without a Sword drawn in its defence.

But *Spain* was too great to be wholly Possessed by the *Goths*, so that about 30 years after *Alaricus* had possessed himself of the other parts of *Spain*, *Gundericus*, King of the *Vandals*, Anno 410 marched quite through the Body of the *Roman* Western Empire, and without any interruption, pierced to the most remote South-West part of *Spain*, called *Bætica*, and there planted themselves, and called it *Andaluzia*, or *vandaluzia*, or the Country of the *Vandals*.

I have been a little more particular in setting down the Causes of the Ruine of the *Roman* Western Empire; that the Occasions of the like might be avoided in other parts of Christendom, as well to avoid the like Consequences, as the scandal to Christianity thereby, and the rather, because that the fond Opinions which are broached in these times, are as extravagant and wild, as those in the time of *Constantine*, and after; and Men as obstinate in them, and so conceited of them, that they make them the Objects of their Religion; and think themselves thereby discharged from joining with other Christians, in celebrating Praises and Thanks giving to God, for the publick Benefits they alike partake.

St.

Introduction.

St. *Paul* truly calls the *Strawls* among the different Sects of the *Græcian* Philosophers, vain Philosophy; because they tended to no Edification, or benefit, but caused endless Contentions and Discords; and was never more Offended than when the Christians became distracted into Sects, I am of *Paul*, another of *Apollo*, a third of *Cephas*, &c, whereby the Unity of Christians was rent into endless Feuds and Factions.

And as the Dogmatizing of these Philosophers (or rather Sophisters) was vain, and tended to no good, but ill, so are the *Analyticks*, *Topicks*, *Physicks* and *Metaphysicks* of *Aristotle*, and all the Disquisitions and Distinctions of the School-men, about the Attributes of God, Angels, and Saints, &c. and tend to no Edification: For I say that by no Rule, or Method of *Aristotle's* Logick, was ever any progression of Learning in any one Proposition, in any Art, or Science; if another can shew it, it lies on his Part, for I deny it: and I will be particular herein.

Clavius in his *Scholium* upon the first Proposition of *Euclid's* Elements, Endeavours to demonstrate it by *Aristotle's* Logick, in three *Syllogisms*, and two *Corollaries* (such as they are) and then leaves it not only unconclusive, but says by this way it cannot otherwise be done; and therefore not only he, but all o-

Introduction.

ther Mathematicians, not only in their Comments upon *Euclid*, but all other Mathematical Learning, rejects this way of Reasoning, and betakes himself to what he said before in his demonstration of it.

As if all light of Reasoning were so shut up in *Clavius* his brain, that because he does not see, the rest of Mankind must be blind; and what is that way of Reasoning that he betakes himself to, but by huddling the Principles of Geometry into confusion, without any Order or Method of Reasoning, to make a Conclusion, like a *Dutch* Reckoning of *Altem-al*: From hence it is, that there is no Method or Order of Reasoning observed in Geometry, whereby this Noble Science is rendered so perplexed, that of ingenuous Men, not one in twenty can understand it, and no Reason is given of any one Proposition of our most useful *Vulgar Arithmetick*, whereby it becomes cramped up to some few Rules, without further possibility of progress.

And I say if *Aristotle's* Logick be of no use in Scientifical and Demonstrative Learning, then cannot it be in Dialectical and probable, for if any of the Premises of a *Syllogism* be but probable, or uncertain, the Conclusion will be less Probable, and more uncertain, from whence endless Confusion and Discord will follow, but never any rational knowledg: and from hence it is there

Introduction.

are so many Sects among the *Peripateticks*, which are derived from *Aristotle*, as branches from the Trunk of a Tree, as *Clavius* truly observes in his preface of the Nobility and Excellency of Mathematical Learning, and we shall have occasion to say more hereof hereafter.

I would not have carped at *Aristotle* or *Clavius* herein, if I did not understand, that not only Geometry and Numbers, but all Mathematical Learning, might be taught by one Method of Reasoning, Intelligible by youth in their early years; and that without *Algebra*, Square and Cube Roots of surd Numbers, might be extracted without Error; whereby all those surd Propositions in Mathematicks which before could only be resolved *Geometrically*, may be so Numerically; and also how in Navigation to find out the variation of Longitude in any different Latitude, if an Account be given of the Sailing; which I say is impossible to be done, by *Trigonometry*, and the Tables of *Sines Secants and Tangents*; And to find out the Centre of any Circle, in any two different Latitudes, and, variation of Longitude given; and the Arch of Distance: Nor is this Method of Reasoning restrained to Mathematical Learning, but may be in other, as has been shewed in *The Reasons of the Decay*
of

Introduction.

of the strength Wealth and Trade of England, and The Increase of the Dutch Wealth, strength and Trade, &c.

How much better then were it for the Nobler, and better sort of youth, to be instructed in their Mother Tongues in this Learning, wherein every Proposition would beget a new knowledg, which may be useful to them, in their future Conversation and Business, then to Lose their whole youth in learning *Greek* and *Latine*; which they rarely ever after make use of, which they might, if that time had been employed in Learning *Welsh* and *Irish*; and instead of being Instructed how to deal, And converse Justly, to be imposed upon by the Sophistry of *Aristotle*, which is of no use to them in their Conversation and business, and excites them into endless Brawls and Contentious, not only in Civil, but Religious affairs.

Having given an account of the Reasons of the ruine of the *Roman* Western Empire; and how like our Case is to that of the Empire in its declension, its time to take a view of the state of the *Goths* and *Vandals*, after they had planted themselves in *Spain*, and herein I observe that though the *Romans*, as well as *Grecians*, esteemed all other Nations Barbarous but themselves; yet the Government

Introduction.

ment of them, was equal, if not better, than either; for it was a Regular Monarchy, wherein the King did not govern by an Absolute, Despotick Power, but by Established Laws; nor could they make New, nor Alter the old, or raise Money, without the Consent of the States of their Kingdoms; and this continued for many Hundred years after; how many of the Kingdoms in *Spain* lost these Priviledges, is to long to be inserted here; yet at this day the Kingdom of *Arragon* retains them: So that the King of *Spain* never speaks to them as King of *Castile*.

In the Reign of *Honorius* and *Arcadius*, Ann. 408. about five years before *Gundericus* entred *Spain*, *Attila*, King of the *Huns*, over-run the Empire, and pierced into *Gaul* with a huge Army, against whom *Honorius* sent *Ecius*, (the greatest General of his time) with an Imperial Army; which was raised in all parts of the Empire; so as *Ecius* was forced to withdraw the *Roman* Legions in *Britain* to oppose *Attila*, nor did they ever Return more; so that the poor *Britains* being enured to no Warlike discipline, but only to serve their imperious Masters, easily became a Prey to the *Picts* and *Scots*, and so were in a more servile state than when they were under the *Romans*. To re-
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Introduction.

deem themselves from which, they called the *Engliſh Saxons* to their Aſſiſtance, who uſed them worſt of all, and expelled the whole race of them out of that part of *Britain*, now called *England*.

But this is obſervable, That as in theſe times the reſt of the *Roman Empire* was over-ſpread with *Arianism*, ſo was that part of *Britain* ſubject to the *Roman Empire*, over-ſpread with *Pelagianism*; and here obſerve the Juſtice of God upon them, that theſe Men who aſcribed to themſelves a Power of Salvation, without God's ſpecial Grace and favour to them; ſhould not be able to ſave themſelves from their Enemies, but be either ſlaughtered by them, or expelled their Native Country upon the Earth.

The *Saxons* which Conquered the *Britans* were Heathen, yet was their Government, as well as that of the *Goths*, a Regular Monarchy, and ſo continued in all the Dynaſties of their Kings, and yet is continued, notwithstanding the ſeveral Attempts of many of the Kings of the *Norman*, and the *Scottiſh Race* to the contrary.

About ten years after *Ecius* recalled the *Roman Legions* out of *Britain*, viz. in 418. *Pharamond* entred *Gaul*, and Conquered ſome parts of it, which he called *France*, after the Name of the *Franks*; and *Pharamond*
was

Introduction.

was Heathen ; and so was *Meroveus* his Successor, and *Childerick*, his son ; and so continued till about the year 490, when *Clovis* was converted to Christianity ; of whom, *Messeray* glories that he was the only King in the World, which was no Infidel, or Heretick.

However the Government of the *Francks*, as well as the *Goths* and *Saxons*, was a Regular Monarchy, till the Reign of *Charles* the 7th. about the year 1430. which was above a Thousand years after the *Franks* Planted themselves in *Gaul*.

If we look back into the Reign of *Henry* the 2d. of *England*, we shall find him, it may be, the greatest of all the *Western* Kings, and Lord, if not of the greatest, yet best part of *France*, as he was Duke of *Normandy* and *Aquitain* in Right of his Wife *Eleanor*, *Aquitain*, having the Ocean on the West, and *Normandy*, the *British* Sea on the North.

But this Dominion did not last long, for King *John*, *Henry's* Son, and *John's* Son, *Henry* the 3d. endeavouring to usurp a more than Legal Authority over their Subjects, caused such a Ferment and Discord in the Kingdom, and this lasting neer 70 Years, that the Kings of *France* in the mean time
took

Introduction.

took all *Normandy*, and the greatest part of *Aquitain* from the *English*.

When King *James* became King of *England*, *Henry* the 4th. was *French* King, having composed by force and Clemency the Civil Wars, which had raged neer 40 years all over *France*, and in the year 1597. made Peace with *Spain*, which was about 5 years before King *James* became King, and *Phillip* the 2d. was King of *Spain*: And here let's take a view of *Spain*.

Though *Spain* were $\frac{1}{3}$ greater than *France*, when King *James* came to the Crown of *England*, yet *France* was, I believe, five fold better Peopled; and generally a more fruitful Country: How this came to pass its fit to look back, upon the Cause of the sterility of Men in *Spain*, and their abounding in *France*.

Ferdinand and *Isabella*, King and Queen of *Castile* and *Arragon*, about the Year 1490, having Conquered the Kingdoms of *Granada* and *Murcia*; and against their Faith given to the *Moors*, brought in the Inquisition upon them, the greatest Part of the *Moors* forsook their Country, and thereby left the Kingdoms of *Granada* and *Murcia*, so much less peopled; and *Ferdinand* and *Isabella* being zealously addicted to the *Roman* Religion, established manifold Bishopricks and Religious

Introduction.

Religious Houses in these Kingdoms of both Sexes; and the Pope, though he pleases to make Marriage a *Sacrament*, yet forbids it to the Clergy, and other of both Sexes who take upon them a Religious Life; whereby as the *Moors* leaving *Spain* unpeopled it at present, so future Generations became so much less replenished, by how much more People took upon them a Religious Habit.

But this Mischief did not stop here, for Philip the 2d. (Grand-son of *Ferdinand* and *Isabella*, and a most bigotted Prince to the *Romish* Superstition) brought the Inquisition upon the *Converted Moors*, which drove them out of *Spain* to the farther unpeopling of it; and my Lord Bacon says, that many of these poor converted *Moors*, became as persecuted in their Exile for their Religion, as if they had continued in *Spain*: And this Mischief further followed, not only to *Spain*, but to *Christendom*; for the exiled *Moors* having no other Habitation, and means of living, set up their Trade of Piracy in *Algiers*, *Tunis* and *Tripoli*, within the *Streights*; and in *Sally* without, whereby they have been a Plague to all other Christians, as well as *Spaniards*, who Trade into the *Streights* and *Affrick*, and other *Southern* Countries, ever since,

About

Introduction.

About the time that *Ferdinand* and *Isabel*, conquered *Spain*, *Columbus* discovered the *West-Indies* and *Hornando Cortez* siding with one part of the *Indians*, which were at War against the other, and thereby becoming Conqueror of those he fought against, he got incredible wealth, with a Discovery of the Rich Mines in *Mexico*.

The blaze of this quickly flew all over *Spain*, so that the *Spaniards* expected Mountains of Gold in running out of *Spain* into *America*, and therefore neer half *Spain* run into *America*, to seek new Adventures there; the covetous *Spaniard* not considering the strength and glory of every Country consists in the well Peopling and Governing of it; and that Desolation is the end of all God's Judgments upon any Country.

Here note, That no Art or Science comes to pass by Fate, Inspiration or Chance, but by Education, Learning, Conversation and Experience in Arts; and therefore wherever People are thin, they are rude, ignorant, Poor, Heathenish, and Idle, and of little use to their Country; and also where the Generality of the People of any Country, be not employed in Labours to supply other men, they become a burden to the Country to maintain them; so that *Spain* in this state, not only lost their Ancient Virtue and Military

Introduction.

tary Discipline, but the Inhabitants being more Religious and Idle people, than in any other part of the World, became hereby not only the feeblest of all other Countries, but the poorest, and notwithstanding the Millions of Treasure, which were yearly imported into *Spain*, yet it could not support the Luxury of the *Religious*, and maintain the poor idle Persons in it.

But *Spain* could not contain the bloody, superstitious Rage and Tyranny of *Philip*, but he endeavoured to have had brought in the *Inquisition* and *Castilian* Government into the *Netherlands*, which were Provinces more rich and abounding with People and had more great and populous Towns, than any other part of the known World of like bigness, and the inhabitants of a warlike Constitution; these Countries were made free by *Charles*, *Philip's* Father, from their dependance upon *France*; for after *Charles* had taken *Francis* the first, Prisoner; It was one of the Articles for his enlargement, that he should remit the Fealty, which those Countries paid him.

The *Flemming* (for so the Inhabitation of these Provinces were generally called from *Flanders* the greatest of them) did not as the *Moors*, run out of their Country, but stoutly stood upon their Liberties and Privileges,

Introduction.

vileges, and rose up in Arms in defence of them; and these Wars continuing above 80 years, not only put the Kings of *Spain* to a greater Expence than the Revenues of those Provinces, and the Returns of the Plate Fleets from *America* could support; but after all, above seven of these Provinces rent themselves quite from the Dominion of *Spain*, and erected themselves into a *Free State*; nor till the Duke of *Bavaria* became their Governour, would the Kings of *Spain* trust the Inhabitants of those which continued in their Subjection, with Arms to defend themselves against the *French*, whereby the Government of those Countreyes became more chargeable to *Spain* than it could support; yet so weak, that they could not resist the Insults of the *French*, nor the Revolted Provinces; and in this state *Spain* stood when King *James* became King of *England*, and so continued (except the truce made in 1609) till the Treaty at *Munster* in 1648.

It hath been observed in the *Treatises of the Reason of the Decay of the Strength, Wealth and Trade of England*, and also of the equal danger of the Church and State &c. of *England*, how much the State of *England* resembles that of *Spain*; for if the excursion of the *Spaniards* into *America*, so much dispeoples

Introduction.

peoples *Spain*; so does the excursion of the Inhabitants of *England* into our *American* Plantations, and in re-peopling *Ireland*, dis-people *England*; and if the *Inquisition* in *Spain*, be a Bar to keep out Supplies in *Spain* for their Expence into *America*, so is the Law against Naturalization of Foreigners here in *England*.

It is true, no Law, or usage in *England*, forbids Marriage to any, for supplying future generations, yet I'll leave it to the Reader to Judge, if, as the Case stands in *England*, it be not worse than if Marriage were forbidden to the ordinary, and meaner sort of People in *England*, for in all the Countries of *England* more poor Children are born, than can be imployed in Rural or Country Affairs, and their poor Parents have not means to bind them Apprentice in Market-Towns and Corporations, which exclude all other from Trading with them, but those which have been bound Apprentice, and served their Apprentiship: nay, the 5th. Act of *Eliz. c. 4.* excludes all from being bound Apprentices, but the Children of Free-men, or such whose Parents had 40 Shill. *per ann.* and by the Act of *Eliz. 31. 7.* no Cottages shall be built in Country villages, which shall not have 4 Acres of Grounds annexed to them, which poor Labourers cannot do, so that

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Introduction.

the poor Children not being permitted to inhabit in Country Villages, and excluded out of Market-towns and Corporations, are forced either to fly their Country, or to be Tapsters, Ostlers, and Drawers, Alehouse-keepers, or Strong-water-sellers, if they can get a License; so little was the Interest of the Nation understood heretofore; for the Strength and Wealth of every Nation, is founded in the number and industry of the Natives, and therefore to neglect to instruct Youth how to Employ themselves, or to debar any man from the benefit of his honest Employment, is not only unjust, but Impolitick.

And as these Corporations in excluding other men, are unjust and impolitick, so are they dangerous to the Government otherwise; as they are Marks of Faction and Distinction in it, and as they make themselves to only Free-men in them, yet out of them claim the Liberty of the rest of the Nation; Now let's see what a sort of men these are, which claim these Prerogatives over the rest of the Subjects of the Nation, but generally a sort of Shop-keepers, Retailers, and Wholesale Men, who neither labour, nor are otherwise of any use to the Government; but by the Prerogative of their Freedom, set what price they please upon the Labours
of

Introduction.

of poor Artificers, (who are the soul of the Nation) and impose what Rates they please to the buyers of these again of them ; whereby their Riches arise from the oppression of the Labourer, while they are Idle, and by imposing upon the Nobility, Gentry, and others in selling : whereas its said, and I believe it, that in *Holland*, a Retailer, (or if you will a Fore-staller) is not permitted, unless to them who are reputed honest, and by misfortune are fallen into decay, so that as *London* grows rich by its Freedom of Trade with the Nation, so *Amsterdam*, and other Towns in *Holland* grow rich by foreign Trade.

The Act, 3 *Jac. c.* 6. is of better Authority than any thing I can say, and more lively describes the Manifold mischiefs and Abuses both to the King and Kingdom, which attend our Foreign Trades by Companies, exclusive to other Subjects of the Nation ; I'll only therefore observe this in it, which the Act does not ; That these Companies who manage foreign Trades exclusive to other Men, are more Tyrannous and Injurious to their fellow Subjects than any of their Enemies are, as has been shewed in the *East-India* and *African* Companies, and hereby have no reason to expect any Assistance from the Nation to support them, against the Insults of the *Dutch*

Introduction.

and *French* upon them; for why should the Nation assist them, who have rent themselves from the Nation, and are more Enemies to them than any other?

But over and above these unhappy Accidents, which so highly contributed to the weakning of the *Spanish* Monarchy, we may add another, that proved no less fatal and destructive and that was Queen *Elizabeth's* destroying their Invincible *Armada* in the year 1588. and her Sacking and burning of *Cales* in 1595. wherein was destroyed such an incredible Mass of Wealth, that the *Spaniards* never after were formidable either by Sea or Land, and this was so much the more, by how much *Phillip* the 3d. proved to be a weak, effeminate Prince, wholly governed by Favourites.

Having taken a view of *England* and *Spain*, and compared the State of them, we'll see how they stand in reference to *France*, which lies between them, and so becomes a Neighbouring Nation to them both: *France*, tho' it be not threefold greater then *England*; yet it is manifoldly more peopled in that proportion, and more abounding with great, rich and populous Towns; and tho' it be not an Island, yet it has the *Brittish* Sea on the North, the *Atlantick* Ocean on the West, and the *Mediterranean* Sea on the South; so that in its situation, its better placed for Trade, than

Introduction.

if it had been an Island, having *Spain*, the *Spanish Netherlands*, *Lorain*, *Germany*, *Savoy* and *Italy* to trade to by Land.

Henry the 4th. of *France* after he had subdued the popish League, and made a Peace with the *Spaniard* at *Vervins* in 1597; secured the Murmors of the *Reformed*, by the famous Edict of *Nants*; and being a Prince not less prudent in Counsel, than Victorious in War; as well to divert the *French* from their mutinous and quarelling Humour, as to increase the Riches of *France*, gave all imaginable Incouragment to the Inhabitants in Manufactures, the Principles whereof abound more in *France*, than any other Country, except *England*; yet added to them, the breeding Silk-worms, and by the lively Ingenuity of the *French*, improved Silk-Manufactures above any other Country.

Here take notice of the benefit which arises to any Nation by the Employment of People in Manufactures, above other Countries, where the Inhabitants are not employed: For, suppose a Million of People in *France* were thus employed, and those yearly earned 20 *l.* per Ann. the Employment of these people are twenty Millions benefit yearly to *France*, and this Money generally distributed among the Workmen; and what ever of these Manufactures are vended in Foreign Trade, these will be

Introduction.

so much an Inriching to it; whereas if these had not been Employed, they would have been at least five Millions a year burden to it; and *France* would have been in so much a worse state to have supported them; whereas, if the People be not employed, as in *Spain*, the Distribution of the Treasure out of the *Indies*, is not only unequally distributed, but the Charge of maintaining the Religious, and Idle Persons most miserable and intolerable: Let's now see the state of *England*, by the 5th. Act of *Eliz.* c. 4. excluding the *English* Natives, not Free-men, from Working in Market-Towns and Corporations, we'll take a very modest Estimate herein; and suppose but 10000 yearly (scarce one in a Parish) be excluded, so that hereby the Nation loses their Employment, this at 20 *l.* per Ann. will be 200000 pounds a Year loss to the Nation, besides the Charge of maintaining them, if they do not flee out of the Kingdom, for want of Subsistence in it; and I pray what does the Whole-sale and Retail Trades of Shop-keepers in them, contribute to the support of this; or of what benefit are they otherwise to the Nation?

and *Henry* the 4th. having thus employed the Natives of *France*, and having few Plantations to exhaust it, though *France* drove no foreign Trade by Sea, yet by permitting the *English*,
Dutch,

Introduction.

Dutch, Swedes, Danes and Hamburgers to Trade into *France* by Sea, and the *Germans*, by Land, less scarce credible, after the long Civil Wars in *France*, in the space of but 13 Years (for it was no longer between the Peace at *Harbins* in 1597, and his death) what incredible Treasure he amassed, if so great an Author as *Messieray* did not affirm it; whereupon he nourished a Design of new modelling all the Western Parts of *Christendom* (except *Britain* and *Ireland*, which he knew would not hinder him in it) and *Messieray* did not doubt but he had means enough to have Accomplished it, if he had lived; but when his foot was in the stirrup to have accomplished this, *Raviliac* put a full stop to his career.

Yet *France* had in it no Mines of Gold or Silver, no more than *England* hath; and the Treasure which *England* acquires, is by the vent of our Woollen Manufactures, and our Lead and Tin, and so much more as the Natives are less employed in these, and these are less in foreign Trade, by restraining the vent to *English* men, and more to *English* Companies, so much less Treasure, will the Nation acquire, and the Natives less employed.

As *France* thus abounds in People more than either *England* or *Spain*, whereby they acquire such vast Wealth above them, by permit-

Introduction.

permitting Foreigners to Trade with them; so are the *French Nobility* (which includes the *Gentry*) of a warlike and aspiring Temper; and if this had not usually excited them into intestine Broils and Tumults; as Secretary *Trevor* observes, all their Neighbour Nations, could not have set bounds to their ambitious Humour.

But the Prosperity of *France* no ways daunted Queen *Elizabeth*, so that *Henry the 4th.* designing to build some great Men of War at *Brest*, she forbid the Kings making any further progress in it, or she would fire all the Ships in his Harbours, whereupon this great Hero desisted; nor would she permit the *Dutch* to build any great Ships, but she would have an account of them; and so having the *Brill*, *Ramakers* and *Flushing*, the Keys of the Rivers of the *Maes* and *Scheld* in her Hands, she died with an uncontrouled Dominion of the Seas, and Arbitress of *Christendom*; and in this state King *James* took Possession of the Crown of *England*, with all its dependances, to which he added that of *Scotland*, whose Reign is now ripe to be exposed.

A
DETECTION
 OF THE
Court of *England*,
 during the Reign of
 King *JAMES I. &c.*

BOOK I.

A Better view may appear of this, if we look back to the beginning of the Reign of Queen *Elizabeth*, and compare it with that of this King's Reign, when he came to join the Crowns of *England* and *Ireland* to that of *Scotland*, and thereby became the greatest Monarch that governed *England*, since King *John*, except it was in the Reign of *Henry* the Fifth, and some time of the Reign of *Henry* the 6th, when *Normandy*, and so great a Part of *France*, was subdued to the Dominion of the Crown of *England*.

This Kingdom was never in so low an ebb of Reputation, and so dangerous a State both at Home and Abroad, as when Queen *Elizabeth* came to the Crown, her Father, Brother and Sister in debt, and the Navy Royal neglected and out of repair, yet the Revenues of the Crown, besides the Court of Wards, and the first Fruits of Ecclesiastical Promotions, but 260000 *l. per An.* the Kingdom in-broiled in intestine Heats in Religion, and *Philip* the Second of *Spain* aspiring to an unlimited Dominion, in and out of *Europe*; *Calais*, notwithstanding the united Interest of *England* with *Spain*, but some Months before lost to the *French*; and *Francis* the Dauphin of *France*, in right of his Wife *Mary*, Queen of *Scotland* laying claim to the Crown of *England*.

Whereas when King *James* came to be King of *England*, the Kingdom was in intire Peace within, and in a Martial State, and full of Honour and Reputation Abroad; the Royal Navy not only Superior to any other in the World in strength, but in good repair; few Debts left charged upon the Crown, yet if the Exchequer were not replenished with Money, the King received three entire Subsidies, and six Fifteens of the 4th Subsidies, and eight Fifteens granted to the Queen for suppressing the *Irish* Rebellion, and carrying on the War against *Spain* some Months before, tho' both the Rebellion and War with *Spain* ceased that Year he became King; the Customs for supporting the Navy, more than five fold they were in the beginning of the Reign of Queen *Elizabeth*, and above two Millions and four hundred Thousand Pounds due from the States of *Holland* (or the *United Netherlands*) and how the States became discharged of it, its fit to premise

premise it here, and how it became due to Queen Elizabeth, and so to the Crown of England.

Queen Elizabeth tho' she refused to accept of the Sovereignty of the *United Provinces*, when she took them into protection, after the Expulsion of the Duke of *Anjou*, and the death of the Prince of *Orange*; yet she entered into a Treaty with the States, *An. 1585*, wherein it was agreed that the *Dutch* should re-pay her all the Monies which she should expend for their preservation, with Interest at 10 per Cent. when the War was ended with *Spain*, and that two *English*, whom the Queen should name, should be Admitted into their Council of State, and for Security whereof the *Dutch* should deliver up to her *Flushing*, *Rammekins*, and the *Brill*, which were the Keys of their Country.

Upon this Agreement the Queen, for the *Dutch's* further Encouragement, gave them License to fish upon the Coast of *England*, which she denied them when they continued in their subjection to King *Philip*; and removed the Staple of the *English Woollen Manufactures* from *Antwerp*, in the Power of the King of *Spain*, to *Delf*, in the *Dutch* Power; and 'tis scarce credible, how in so short a time after, viz. Scarce 13 Years, the *Dutch* entertaining all sorts of People, who were persecuted upon the Account of not submitting to the Papal Usurpations, (call'd Religion,) swelled their Trade and Navigation, not only in *Europe*, but in the *East* and *West-Indies*.

The Queen considering this Encrease of the *Dutch* Trade and Navigation, was as much to the lessening of the *English*; and being provoked by the Ingratitude of the *Lovestein* Faction, whereof one *Olden Barnvelt* was the Head (a fellow as factious and

turbulent, as ungrateful) by whose Councel another Assembly was erected at *Amsterdam*, called *The Convention of the States General*, wherein they managed all the secret and important Affairs of their State, and out of which they excluded the *English*.

The Queen highly incensed at the Ingratitude of this Faction, which now governed all in *Holland*, and yet continuing to support them at the Charge of 120000 *l. per Ann.* as *Cambden* observes in his *Eliz. Reg. An. 1598.* signified to the State her Intention of making Peace with the King of *Spain*, which if she did, it would be impossible for them to continue their War with *Spain*, and recover their cautionary-Towns from the Queen.

Hereupon the States sent my Lord *Warmond* (as they called him) as their humble Supplicant to the Queen, and in the lowest Posture of Humility acknowledged themselves obliged to her for infinite Benefits, and that as her Majesty excelled the glory of her Ancestors in Power, so she excelled them in Acts of Piety and Mercy, but pleaded Poverty for not re-payment of the Money the Queen had expended for their preservation, (they might have said their Exaltation.) The Queen in answer to them said, she had been often deceived by their deceitful Supplications, and ungrateful Actions, and pretence of Poverty, when their Power and Riches confuted them, and that she hoped God would not suffer her to be a Pattern to other Princes to help such a People, who bear no Reverence to Superiours, nor take care for the Advantage, Reputation or Safety of any but themselves: The *Dutch* were confounded at the Queen's Answer, submitted

red themselves to such Terms as the Queen should lay upon them, and the Queen wisely considering if she should cast them off, Henry the 4th of France, who the last Year, viz. 1597, had concluded a Peace with Spain at Vervins, by the Interposition of the Pope's Nuncio, and who sought to be Prince Elector of the States, whereby the Queen would not only be in danger to lose their Dependence, but the Monies she had expended in their Support, they, (the Queen and States) came to this Agreement.

1. That upon an Account stated, there was eight Millions of Crowns, or two Millions Sterling, due to the Queen, for which they were to pay Ten per Cent. so long as the War lasted.

2. That during the War they should pay the Queen one Hundred Thousand Pounds yearly, and the remainder when Peace with Spain was concluded, and then to have their cautionary Towns surrendered back to them.

3. That till this Agreement were performed, the States were to pay Fifteen hundred English in Garrison in them. We leave this Agreement here, till we hear more of it hereafter.

There were but three Months between this King's Birth and Reign, his Mother being Deposed to make room for his coming to be King; but by this Title he reigned twenty Years in his Mother's life, and during that time never made use of her Name in the Court of Scotland; once in any Proclamation or Law; and after her death, continued his Reign by this Title to his Dying day; which was inconsistent with the flatteries which his Favourites

had continually in his Ears, That he was King by Inherent Birth-right, and that he held his Crown from God alone; and so pleasing was this Doctrine to him, that above all other things he set himself upon it, not only in magnifying himself herein, in his Speeches in Parliament, but in his Writings against *Bellarmino* and *Peron* against the Pope's deposing Kings.

In his Infancy and Minority the Regents and Nobility made havock of the Crown and Church Revenues, so as when he came to Age, he had but little left to support his Crown and Dignity; but by how much he became lessened hereby, the Nobility became so much greater, and to support themselves, held a Correspondence with Queen *Elizabeth*, who tho' she countenanced the Nobility, yet she allowed the King a yearly pension of 4000 *l. per Ann.* (I have heard and believe) in his Minority, and 10000 *l. per Ann.* after he came to Age, and hereby kept both the King and Nobility depending upon her.

As the Nobility, in his Minority, made him so poor, so the King-party justified him in his Throne, by making themselves a distinct Table from the Secular or Temporal Power, not only in Matters purely Spiritual, but in holding General Assemblies, and all Matters which related to what they pleased to call *The Kingdom of Christ*; and were so zealous, I will not say *Rude*, herein, that they made it's Duty incumbent upon the Temporal Power, to pass the Acts of their General Assemblies into Law. And, in truth, they expressed but little Civility to the King, in whatsoever they applied themselves to him as if it were his duty to do what-

whatsoever they would have him ; and without his Consent, and even to cross him, would Ordain Fasting-days, and sometimes upon Sundays : And having Episcopal Government, it was very troublesome to the Regents, in his Minority, as well as the King, to retain the Name of a Bishop, after they Assumed to themselves the Power. Queen *Elizabeth* was no better friend to this Kirk-party than the King, tho' she winkt at it, and was the more provoked against it, by *Knocks* his Book which he wrote against *Guenarchy* ; and from hence it was King *James* took the easier impresson of Flatterers, and was so zealous a defender of Bishops: That in a Conference at *Hampton-Court*, in the first Year of his Reign, he held it for a Maxime, *No Bishop, No King*.

The Tears, which all true *English*, shed for the death of Queen *Elizabeth*, were soon wiped off, by the Accession of King *James* to this Crown, the ancient Feuds between the Nations of *England* and *Scotland* were reconciled ; and *John Stow* in his *Annals* of the first of this King, gives a particular account of his most Magnificent and joyful Reception day by day from *Barwick* to *London*, yet with this blot in his Scurcheon, that when he came to *Newark*, he first discovered his Disposition to Arbitrary Government ; for being told that one had Cut a Purse at *Newark*, the King without any Legal Process, or the defence of the party, signed a Warrant to the Sheriff of *Lincolnshire* to hang him, which was executed accordingly.

This put no check to the jollity of the people, but the nearer he came to *London*, the greater was the Concourse and Acclamations of the people, tho'

tho' by his Proclamation, (of which never any Prince was so prodigal, and wherein he continued to his Dying-day) he had forbid it; because it raised so much dust as proved troublesome in his Passage, and upon the 11th of *May* he came to *London*, where being a Prince, above all others, addicted to Hunting, as his first care, upon the 16th of *May* issued out another Proclamation forbidding all manner of persons killing Deer, and all kinds of Wild-fowl used for Hunting and Hawking, upon pain of the several Laws and Penalties to be executed upon them.

The gazing World abroad, were astonished at this King's peaceable and joyfull Settlement in *England*, and were as forward to Congratulate him in it, as his Subjects were to receive him; and herein the *Dutch* (being Merchants) were the first that addressed themselves to make their Market of him, and sent over the youngest Son of *William*, Prince of *Orange*, one *Fulk* and *Barneveldt*, who, (in the Reign of *Queen Elizabeth* lay covered in his Faction at *Amsterdam*, as *Tortoises* do under ground in the Winter) now the *Dutch* designing to make their Harvest in this King's Reign, came abroad, as *Tortoises* do in the Spring, to dispose him to it; but the *Dutch* needed not have been so forward herein, for the King was environed with those which should do their work, better than *Barneveldt* could have done it.

The *Spaniards*, after the loss of their Armada, in 1588, and the Loss sustained in the Sacking *Cadix*, in 1596, declined as fast in Power and Reputation, as the *Dutch* grew greater both in *Europe*, and the *West-Indies*. But *Philip* the 2^d. dying about three
Years

Years before Queen *Elizabeth*, the former Feuds between her and *Philip* became much abated, and *Philip* the 3d. succeeding, a young Prince (*Nani* says) of singular Piety (he means devoted to the *Romish* Superstition) but wholly unacquainted with Government, and contenting himself with the Royal Dignity, left the Power to his Favourites and Ministers, and of whom *Nani* in his fourth Book, *An. 1621*, makes this notable Remark upon his death. That it remained a doubt, whether in an Age, proclaimed by the Wrath of Heaven, to the mockery of Favourites, the King would not have taken upon himself the Government, when death, in the 43d. year of his Age, takes him away from the Troubles which Empire carry with it. His Years surely would have been more memorable, if he had been born a private Man rather than a King; because being better adorned with Ornaments of Life, than endowed with skill to Command, as Goodness, Piety and Continnence, placed him in an higher Degree than ordinary Subjects; to his disapplication to Government, rendered him weaker than was fit or necessary. By publick Defects private Virtues being corrupted, and in particular keeping his Mind in idleness, it was believed, that he reserved nothing to himself to do, but to consent to all that which his Favourites had a mind to.

Thus the Government of the World recommended to Princes, as the true Shepherds, fall into Mercenary hands, making themselves not understood, but by the sound of the Voice of Interest, and the Authority of Ambition, the People suffer Ruin and Calamity, and the Princes themselves render an Account

Account to God of that Talent, which they have suffered their Ministers to make Merchandize of. It is certain, *Philip* in the Agony of his death, was not so much comforted with calling to mind his innocent Life, as he was troubled with the Sting of Conscience, for his Omissions in Government.

This Character, how Parallel soever it was with King *Charles* the First, tho' I do not find he had any sting of Conscience for his Omissions and Transgressions in Government, which brought upon himself and Nation, all the Miseries and Calamities of the late Civil Wars, and wherein he persisted to the last; Bear no proportion to the voluptuous and dissolute life of King *James*, accompanied with his prophane Swearing in Passion, and even in his usual Conversation, whereby he became not only contemptible, but by his Example the Generality of the *English* Nation became debauch'd in their Manners and Conversation, to the Scandal and Contempt of it in other Nations.

The death of *Philip* the 2d, made the passage to a Peace between *England* and *Spain*, whereto both Kings were equally disposed, more smooth and easy. Yet *Philip* the 3d, before he would openly seek it, by an Ambassador from the Arch-Duke *Albert* (Governor of *Flanders*) he felt the Pulse of the Court, how it stood affected to a Peace with *Spain*, which bore high towards it, so as soon after it followed; which as it was most beneficial to the *English* Nation, so it had been to *Spain*, if it had been as sincerely observed by King *James*, as it was by

Account

Henry the 4th. of France, tho' spited, as 'twas said, that King *James* should not only come so peaceably, but with universal Acclamations to the Crown of *England*, whereas he laboured, with such difficulty, above seven Years to attain that of *France*, and at last was forced to a dishonourable Submission to the Pope *Clement VIII.* Yet being a Prince of great prudence in Peace, as well as fortunate and victorious in War, sent Monsieur *de Rosny*, great Treasurer of *France*, to renew the Treaty of Peace and Commerce formerly made between Queen *Elizabeth* and him, which was without any difficulty done.

The King being thus at peace abroad, and at home, not only in *England*, but in *Ireland*, as if the Wars expired there with Queen *Elizabeth*, he not only pardoned the Earl of *Tyrone*, the Head of that Rebellion, but by Proclamation declar'd he was restored to the King's favour, and to be honourably us'd of all Men.

But how pleasing soever the King's coming to the Crown of *England*, was to the *English* Nation, it seems it was not so, or something else, to God, for an horrible Plague, greater than any since that in the Reign of *Edward the 3d.* accompanied his coming in. There were two Factions in *England* when the King came to the Crown, distinguished by the Names of *Puritans* and *Papists*, both dissenting from the Religion Established in the Church of *England*; the King hated those, and wrote against these, chiefly for their Doctrine of the Pope's power of Deposing Kings: These received the King after different Manners, the *Puritans* had huge Expectation of his favour, because he was bred up in

in their Doctrine and Discipline, but were much deceived in it, for he rarely mentioned them but with detestation, which he did not those of the Popish Religion.

However in *January* they obtained a Conference with the Church-party at *Hampton-Court*, where the King himself would be Moderator, whilst most of the Nobility and Bishops were Spectators; you need not doubt which party prevailed; the Nobility and Bishops not only giving the King the Victory, with the Epithets of, *The Solomon of the Age*, *The most Learned*, but of being *Inspired*.

But what expectation soever the Puritans had of the King's coming the Crown, the Papists had another Lesson taught them; for though the Popish Conspiracy against the Person of *Queen Elizabeth* ceased, upon the death of the *Queen of Scots*, yet did not the Pope's designs upon the Kingdom of *England* do so; but *Clement VIII.* in the Year 1600. sent Orders to his Emisseries in *England*, that the Catholics should admit none to succeed the *Queen*, but one obedient to the Holy See; and in conformity hereunto, *Watson* and *Clark*, two *Romish* Priests joined in *Cobham's* Conspiracy, to have kept the King from coming to the Crown, and were executed for it as Traitors; but the Effects of the Pope's Instructions did not die with *Clark* and *Watson*, as you'll soon hear, and upon the 24th of *October* 1603, a Proclamation was made for *Quierness* to be observed in Matters of Religion.

Norwithstanding the rage of the Pestilence, the first 9 Months after the King's coming to *London*, all were Halcyon-days, Proclamations, Pageants, Feasting, Creation of Lords and Knights, Reception of For-

reign

reign Ambassadors, Erecting a Master of Ceremonies after the Mode of *France*, &c. and in this time the Dignified-Clergy, and those who courted to be so with the Favourites at Court, with whom the *Civilians* chimed in, had so rooted their Doctrine of the King's Absolute Power, and that, notwithstanding his Succession to the Crown of *Scotland* in the life of his Mother, he succeeded by Inherent Birth-right, and that Primogeniture, is the Gift of God by the Law of Nature ; and that in his Person was reconciled all the Titles of our *Saxon*, *Danish* and *Norman* Race of Kings, that being propensly disposed to receive the Impressions, they took such deep root in him, that in all his Life after, he would never, with patience, hear any thing to the contrary, however it was not long before he hear'd of it, as you shall hear : But we will stay a little, and see how inconsistently these Flatterers jumbled an Absolute and Hereditary Monarch together, and how this King reconciled the Titles of the *Saxon*, *Danish* and *Norman* Titles to the Crown.

For no Hereditary Monarch that ever reigned in this World, but derived his Title from an Ancestor who had no Hereditary Right ; nor did ever any Hereditary King succeed, but to Govern by Laws and Constitutions, which were established before he became King: So however Absolute, may be applicable to Conquerors, yet it is inconsistent with Hereditary Kings, especially in Regular Monarchy, as that of *England* is, and those of Old, as of the *Medes* and *Persians*, where the Will of the King alone could not alter the Laws and Constitutions of them: And now let us see how King *James* came to claim his Crown by Inherent Birth-right, and how all the

Saxon

Saxon, Danish and Norman Titles came to be reconciled in his Person.

Its evident to me, that though only God can make an Heir, and that the Primogeniture be natural; yet God, in disposing Kingdoms is not obliged to it; (though *Grotius lib. 1. Tit. 11. De jure belli & pacis*, is pleased to say, the Law of Nature is immutable by God himself) but reserves to himself the Prerogative of disposing Kingdoms, without restoring the Succession of the King to Primogeniture, or Hereditary Succession. Here let us see in Epitome, which you may read at large in *Sir William Jones* his History of the Succession of the Kings of *England*, before, and after the Conquest, and the History of the Succession of the Crown of *England*, from King *Egbert* to *Henry* the 8th. printed in the Year 1690, where you will see, that though the Kings of *England*, both before, and after the Conquest, succeeded in their Royal Families, yet many more were not in the right Line, than in it; and though before *Cæsar* invaded *Britain*, there was no other Government but Kingly, yet *Britain* was divided into so many Petty-kingdoms, that tho' it had not been barbarous, it would have been as difficult to have wrote the History of the Succession of their Kings, as to have wrote the History of the Succession of the Kings immediately after the Flood.

After the *Roman* Empire oppressed by its own weight, the Division into Eastern and Western, its intestine Jarrs, and the over-flowing of barbarous Nations, was so torn and shaken, that the Legions which governed *Britain*, were recalled by *Ecilius* (the *Roman* General, under *Honorius* and *Valentinian*)

in the 3d.) to make head against *Attila* ; the poor *Britans* disarmed, and only made use of to serve their imperious Masters, and so utterly destitute of Martial Discipline, easily became a Prey to the *Picts* and *Scots* ; (not subject to the *Romans*) who treated them more intollerably and tyrannically, than the *Romans* had done : For Redress whereof, the *Britains* sought Succours from the *English Saxons*, who came to their Relief in the Year 409, (as *Bede* says, lib. 1. cap. 15. of the *Ecclesiastical History of the English Nation* ;) but these *Saxons* used the poor *Britans* worst of all, and expelled the whole Race of them out of that part of the Island now called *England*.

Though the *Saxons* had their Wills of the *Britains*, they were, before the *Heptarchy*, at continual variance among themselves, and so after, that it is almost as unaccountable to give a History of the Succession of their Kings, as it was of the *Britains* before *Julius Cæsar*.

Egbert, about the Year 800. (viz. 391 Years after the *Saxon* Invasion) was called the first of the *Saxon* Monarchs ; though the Kingdoms of the *Mercians* were not united to his Monarchy, who by Merit, as well as Birth, obtained the Dignity, and succeeded *Britbric*.

Ethelwolph succeeded *Egbert* in the Kingdom of *Westfax*, but not to those of *Kent*, *Suffex* and *Eastfax*, or *Essex*, these being given by *Egbert* to *Ethelstan*, *Egbert's* younger Son.

Ethelwolph, by his Will, divided his Kingdom between his two Eldest Sons, *Ethelbald* and *Ethelbert*, To *Ethelbald*, the Kingdom of the *West Saxon*, to *Ethelbert*, the Kingdom of *Kent*, and the Eastern, Southern

thern and middle Angles. But there were two other Sons *Ethelred* and *Alfred*.

Ethelbert, after the death of *Ethelbald*, succeeded him in the Kingdom of the *West Saxons*, and after the death of *Ethelbert*, *Ethelred* succeeded in the whole, viz. Of the *West Saxons*, and of the Kingdoms of *Kent*: the Eastern, Southern and Middle Angles.

Alfred, after the death of *Ethelred*, by universal applause, the famous, the youngest Son of *Ethelwulf* succeeded.

Edward, Son of *Alfred*, was chosen by the Nobles, on *Whitsunday*, in 901.

Atbelstan, after the death of *Alfred*, (tho' a Bastard) was Elected by the Nobles, of whom 'twas said there was nothing Ignoble in him.

But *Atbelstan* dying without Issue, his younger Brother *Edmund* succeeded him without any Opposition; and though he left two Sons *Edwy* and *Edgar*, yet

Edred (*Edmund*'s younger Brother) succeeded him.

Edwy, after *Edred*'s death (*Edred*'s Elder-brother's Elder-son) succeeded; but being a vitious Prince, the *Mercians* and *Northumbrians* chose *Edgar*, his younger Brother, King in the life of *Edwy*, and

Edgar, after the death of *Edwy*, became King of the whole Nation.

Edward, Son of *Edgar*, after his death, was chosen by the Bishops and Nobles, by the Command of his Father *Edgar*; but he being murdered by his Step-mother *Elfieil*, *Edward*'s younger Brother *Ethelred* succeeded: And after his death, the Saxon Monarchy being rent in pieces by the *Danes* and *Saxons*.

Edmund Ironside (Son of *Etheldred*, by an obscure mean Woman) though he had two half-legitimate younger Brothers, *Edward* and *Alfred*, born of *Emma*, *Etheldred's* Wife) was chosen King by one part of the Nobility, and *Canutus*, the Dane, by another. Thus the whole Legitimate Race of the Saxon Kings were excluded; one part chasing *Ironside*, a Bastard, the other *Canutus*, a stranger to the Saxon Royal Race.

Edmund Ironside being treacherously murdered by his Brother-in-law *Edric*, *Edmund* leaving two Sons *Edwy* and *Edward*.

Canutus, the Dane, became sole Monarch of the Saxon Monarchy: So that this was the beginning of the Danish Dynasty, which lasted not long.

Harold, Son of *Canutus*, succeeded him, and

Hardicanute, his Brother, succeeded *Harold*, neither the Issue of *Etheldred*, *Edward*, or *Alfred*; nor *Edwy* or *Edward*, the Sons of *Edmund Ironside*, so much as taken notice of; with this *Hardicanute*, ended the Danish Rule, with the slaughter and expulsion of the Danes.

Edward, Son of *Etheldred*, called *The Confessor*, (Uncle to *Edwy* and *Edward*, Sons of *Edmund Ironside*) after *Hardicanute*, was advanced to the Royal Dignity; principally by means of Earl *Goodwin* (a powerful and imperious Lord) upon the account of *Edward's* marrying the Earl's daughter; so little was the Hereditary Succession of the Saxon Kings regarded: And that *Edward's* Reign might be more secure, this Earl *Goodwin* caused the Eyes of *Alfred*, the King's Brother, to be put out, and, some say, took away his life.

Edward the Confessor growing old, having no Issue, and the Family of the wicked Earl *Goodwin* growing not only insolent, but intollerable to him, declared *Edward*, the Son of *Edmund Ironside* (his half Brother) his Heir : And to the end he might better succeed, the King sent to the King of *Hungary* to return his Nephew *Edward*, (who the King of *Hungary* had married to his Niece *Agatha*, Daughter to *Henry*, Emperor of *Germany*) which the King of *Hungary* did ; and upon *Edward's* return, the *Confessor* declared, That he, or his Sons, should succeed in his Hereditary Kingdoms of *England*.

But the *Confessor* did not long hold in this mind, for his Nephew *Edward* soon after dying, and leaving a Son *Edgar*, unfit for Government, either as to his Body, or Courage ; he Decreed that his Kinsman *William*, Duke of *Normandy* (tho' a Bastard) should succeed him in the Kingdom of *England*, which came to pass ; and so a new Race of Kings have succeeded in *England* of the *Norman* Race, whose Original Title was from a Grant of a King of the *Saxon* Race, and so the beginning, creates little Title to an Hereditary Succession in the *Norman* Race: And now we'll see how an Hereditary Succession was observed in it ; yet as in the *Saxon*, so in the *Norman* Kings, none succeeded who was not of the Royal Blood ; as all the Kings of *Judab*, were of the Family or Tribe of *Judab*.

William Rufus, the second Son of the Conqueror succeeded, his Elder Brother *Robert* then alive: so did

Henry the First, his Elder Brother *Robert* living.

Stephen, the Son of the Conqueror's Sister, succeeded *Henry*, tho' *Henry* left a Daughter *Maud*, or *Matilda*.

Henry

Henry the 2d. succeeded *Stephen*, *Maud*, *Henry's* Mother, yet living ; so his succession was not Hereditary, for *Hæres non est viventis*.

Richard the 1st. succeeded *Henry* the 2d.

John succeeded *Richard*, *Arthur*, the Son of *Jeffery*, *John's* Elder Brother then alive.

Henry the 3d. succeeded *John*, *Eleanor*, *Arthur's* Sister then alive, who was Heir before him. So that of seven Successions after the Conqueror, but one, *Richard* the First, succeeded as Heir to his Father, or the Conqueror.

Admit *Edward* the first succeeded as Heir to *Henry* the 3d. and *Edward* the 2d. as Heir to *Edward* the first, yet *Edward* the 3d. did not succeed as Heir to *Edward* the 2d. he being then alive.

Admit *Richard* the 2d. was Heir to *Edward* the Black Prince, Eldest Son to *Edward* the 3d. yet neither *Henry* the 4th. 5th. or 6th. were Heirs from *Edward* the 3d. but the Discendants of *Philippa*, the Daughter of *Licnel*, Duke of *Clarence*, *John* of *Gaunt's* elder Brother.

So that of the Succession of 14 Kings after the Conquerour, there were but four, viz. *Richard* the first, *Edward* the first and 2d. and *Richard* the 2d. which succeeded as Heirs to the Conqueror, or his Heirs.

Admit *Edward* the 4th. succeeded right, as Heir to *Philippa*, Daughter of the Duke of *Clarence*, elder Brother to *John* of *Gaunt*, Duke of *Lancaster* ; yet if it be true, which *Richard* the 3d. says, (and which is confirmed by the Authority of the Act of Parliament : *Rich.* 3.) that *Edward* was contracted to *Eleanor Boteler*, before he married *Elizabeth*, then did not *Edward* the 5th. (if it may be called a Succession)

sion) succeed right, nor could *Henry* the 7th. claim any Right to the Crown of *England*, in Right of his Wife *Elizabeth*, the Eldest Daughter of *Edward* the Fourth.

But whether it be true, or not, that *Edward* was contracted to *Eleanor Boteler* before his Marriage, yet *Richard* the 3d. succeeded not as Heir; *Edward*, Earl of *Warwick*, the Son of *George*, Duke of *Clarence*, *Richard*'s elder Brother, being then alive.

Of all the Kings of *England* that succeeded the Conqueror, *Henry* the 7th. had the least pretention to any Title to the Crown; for tho' he were supposed to have been descended from *John* of *Gaunt*, Duke of *Lancaster*, yet it was by the Duke's Paramour, *Katherine Swinford*, whose Issue by the Duke, tho' by Act of Parliament they were Legitimated to all other purposes; yet were not capacitated to succeed to the Crown of *England*; but if the Title of *Lancaster* had been preferable to that of *York*, and *Henry* had been of the Legitimate-line, yet could not he have succeeded as Heir, his Mother, under whom he claimed, being then alive, and out-lived her Son.

Nor did the King's Marriage with *Elizabeth*, eldest Daughter of *Edward* the 4th. improve his Title to his Succession, the Marriage being subsequent to it; and before it, the Crown, by Act of Parliament, was Entailed upon *Henry* the 7th. and the Heirs of his Body; and after Marriage he never used her Name, in calling any Parliament, or in any Proclamation, or the Coin, or passing any Act of Parliament; as he reigned without her before Marriage, so he did after her death, (for he out-lived her) tho' she left two sons, *Arthur* and

and *Henry* (after *Henry* the Eighth) and two Daughters, *Elizabeth*, Queen of *Scotland*, and *Mary*, after Queen of *France*.

It seems to me, That *Ferdinand*, King of *Castile* and *Arragon*, had the same Opinion, which *Richard* the 3d. and the Parliament had, that the Issue of *Edward* the 4th. were not Legitimate, for he would not Assent to the Marriage of his Daughter *Katherine* with *Arthur*, Prince of *Wales*, so long as the Earl of *Warwick* (Son of the Duke of *Clarence*) lived; and there a fine Trick was found out, to put the poor Prince to death, for endeavouring to make his escape out of the Tower with *Perkin Warbeck*, and in him ended the Masculine Line of the Race of the *Plantagenets*, who had governed the *English* Nation after *Stephen*, to *Henry* the 7th. above 340 Years. So that from the Conqueror, to *Henry* the 8th. scarce one of four of the Kings of *England* succeeded in a Right Line, as the Heirs to the Conqueror.

As the *Saxon* Dynasty ended in *Edward* the Confessor, and the *Norman* began in the Conqueror, so it seems to me that the *Norman* ended in *Richard* the 3d. and another of the *British* was erected in *Henry* the 7th. who was the Son of *Edmund* of *Hadharn*, the son of *Owen Tudor*, by *Katherine*, Daughter of *Charles* the 6th. of *France*, wife of *Henry* the 5th. of *England*, and Mother of *Henry* the 6th. So that *Henry* the 7th's Title to the Crown of *France*, was better than that to the Crown of *England*; for that of *England*, was from a Maternal Ancestor, *Margaret*, Countess of *Richmond*, no otherwise related to the Crown of *England*, then Descended from *John* of *Gaunt*, by *Katherine Swinford*, his Paramour: Nor do I find that *Henry* the

the 7th. or any of his Descendants, ever assumed the Surname of *Tudor*.

So that tho' the Crown of *England*, neither in the *Saxon*, nor *Norman*-Race of Kings, was always Hereditary, so neither was the Succession to the Crown Elective: For in elective Kingdoms, after the Death of one King, there is an Establishment of the manner of Elections; and in the mean time, there are *Custodes Regni*, appointed, whose Power ceases upon the Election of a King; but neither of these were ever heard of in either of the *Saxon* or *Norman* Race; and tho' sometimes its said the Kings were Chosen, as of *Edward*, the Son of *Alfred*, by the Nobles; and so of *Athelstan*; and so in the *Norman* Race: *Henry* the First was said to be chosen for that he promised to Abrogate all the Oppressions and Errours brought into the Government by his Father and Brother, (tho' his Eldest Brother *Robert* was then alive) and restore the good Laws of *Edward the Confessor*: And *Stephen* were Chosen by the Clergy and *Londoners*, yet this was rather a form of Speaking, in those days, than any formal Election; and the manner differed, according to the different Humors of the Times.

Nor do we read that ever the Parliament meddled with the Succession of the Crown, before *Henry* the Fourth, for tho' the first Parliament of *Edward* the Third renounced their Allegiance to *Edward* the Second, and are said to have Chosen *Edward* the Third, yet they went no further; and such an Election, was no more than a Declaration of their submission, as when the Council declared *James* the Second King.

But whether the Crown of *England* was Hereditary in the *Saxon* and *Norman* Race, its evident it was not so in this *Brittish* Race; for as it began in *Henry* the Seventh, so was it Entailed, by Act of Parliament upon him, and Heirs of his Body, before his Marriage with *Elizabeth*, the Eldest Daughter of *Edward* the Fourth. So the Inheritable Right of *Edward*'s Issue, and all the *Norman* Race, was barred by this Act.

Before we proceed in the Succession of the *British* Race, we'll take a view of the Genealogy of it.

John of Gaunt, by *Katherine Swinford*, had issue *John*, created Earl of *Sommerfet*, who had Issue *John*, created Duke of *Sommerfet*, who had issue *Margaret*.

After the death of *Henry* the Fifth, *Katherine*, his Wife (Sister of *Charles* the Sixth of *France*) married *Owen Tudor*, a *Welsh* Gentleman, who had issue *Edmund* of *Hadham*, created Earl of *Richmond*, who married *Margaret*, Daughter and Heir of *John*, Duke of *Sommerfet*, who had issue *Henry* the Seventh.

Henry the Eighth succeeded his Father without any Contradiction, for the Wars between the Houses of *York* and *Lancaster* had destroyed the whole Legitimate *Lancastrian* Line, and *Richard* the Third, after the Murder of his Brother *Clarence*, and death of *Edward* the Fourth, had murdered his two Nephews, *Edward* and *Richard*, (Sons of *Edward* the Fourth) and himself was Killed in the Fight in *Bosworth-fields*; and that *Henry* the Seventh had put *Edward*, Earl of *Warwick*, (Son of the Duke of *Clarence* to death) none of all the Royal Line of the *Plantagenets* were left to be Competitors with him, yet his Succession could

not be Hereditary, for his Grand-mother, under whom his Father claim'd, out-lived her Son, and so *Henry* the Eight could not Claim from her. Yet this is observable, That as his Father, *Henry* the Seventh, entailed the Succession of the Crown of *England* upon the Heirs of his Body, so by Act of Parliament, (28 *Hen.* 8. 7) *Henry* the Eight might dispose of the Succession of the Crown, by his Will, for want of Issue of his Body ; so little was the inheritable Succession of the Crown of *England* regarded by these Kings of the *British* Race.

It seems the Council in *Edward* the Sixth's Reign, had as little an Opinion of the Hereditary Succession of the Crown, as the Parliament had in the Reign of *Henry* the Eight, for by the Advice of *Edward*'s Council, he by his Will disposed of the Succession to his Cousen the Lady *Jane Grey* (Grand-daughter to *Edward*'s Aunt, *Mary Queen of France*) contrary to the Will of his Father *Henry* the 8th; which Ordained his Daughter *Mary* to succeed *Edward*, in case he died without issue.

I say, that by the Law of Inheritance in *England*, Queen *Mary* could not inherit the Crown from *Edward*, she being but of half Blood to him ; and by the same Reason Queen *Elizabeth* could not inherit to Queen *Mary* ; but *Mary* the Daughter of *James* the Fifth of *Scotland*, being of the whole Blood to *Edward*, and descended from the Elder Daughter of *Henry* the Seventh.

For the Opinion of the Judges, after King *James* came in, that the Succession of the Crown of *England* differs from that of the Inheritance of Subjects in regard of an *Alien* born, and those of half Blood may inherit the Crown ; Its *Gratis Dictum*, and

and said to please the King; for there never was any such usage in *England*, nor any such Act of Parliament to warrant their Opinion.

But admit the Crown of *England*, were inheritable from *Henry* the Seventh, and half Blood no Barr to the succession, yet *Mary* and *Elizabeth* could not both succeed; for one of them was Illegitimate, *Elizabeth* being born in the Life of *Katherine*, Queen *Mary's* Mother.

If the Parliament in the Reign of *Henry* the 8th. had little or no Opinion of the inheritable Succession of the Crown of *England*, and therefore Impowered the King to dispose of it by Will: The Parliament in the Reign of Queen *Elizabeth* had less, and therefore often Petitioned her, and that with Importance to declare her Successor without consent in Parliament, and declared it 13 *Eliz. cap. 1.* to be High Treason to affirm that the Crown of *England* might not be disposed of by Act of Parliament in her life, and a *Premunire* after her death. Here I make these Remarks upon the Race of the *Plantagenets*, and the Succession of the *British* Line, that as the *Plantagenets* inherited the Name from *Jeffery*, Duke of *Anjou*, who was never King of *England*; so *Henry* the 7th. if he had any Title, deriv'd it from *John* of *Gaunt* (by an Illegitimate Succession) who never was King of *England*.

From *England* we step into *Scotland*, and see how the Hereditary Succession was observed there after the Reign of *Alexander* the 3d. in whom the Direct Line of the Race of their Kings failed, which was so near as I can compute about the Year 1278. and leave the Succession of their 93 Kings before to the Scrutiny of the *Scottish* Antiquaries and Her-
 oulds.

The

The *Scots*, if they be not clearer in the Genealogy of their 93 Kings before *Alexander* the 3d. than my Author is of retriving it after the death of *Margaret*, Daughter of *Alexander* the 3d. do make a blind Genealogy of their 93 Kings before ; however we'll take it as we find it.

David, Brother of *William*, King of Scotland, (but whether *William* was Father, Brother or Uncle to *Alexander* the 2d. my Author says not) and Earl of *Huntington*, had issue by *Maud*, Daughter to the Earl of *Chester*, three Daughters, *Margaret* married to *Allan* of *Galloway*, the second (not named) was married to *Robert Bruce*; the third to *Henry Hastings*, Earl of *Huntington*.

Allen, of *Galloway*, had a Grand-daughter named *Dornagil*, married to *John Baliol*.

Bruce, was Great Grand-child to the second Daughter of *David*, Earl of *Huntington*; but being a Male, pretended he was to be King before *Dornagil*, a Female, though a Degree nearer, and descended from the Elder Sister: *Henry*, Earl of *Huntington*, made no claim. So the Right between *Baliol* and *Bruce* was referred to the Determination of *Edward* the First, King of *England*, who Adjudgeth the Right to be in *Baliol*, and soon after *Baliol* by *Dornagil* had a Son named *Edward*, so that *Bruce*'s pretension of Title as being Son, vanished by the Birth of *Edward Baliol*, being descended from the Eldest Sister : But

The *Scots*, (or a prevailing Party) not liking *Baliol*'s Reign in the Year 1306. Crowned *Robert Bruce* King.

In the Year 1310 *Bruce*, by Act of Parliament had the Crown of *Scotland* entailed upon him and his Heir-Male; and for want of such Issue, to his Brother *Edward*.

This *Robert* had issue a Son named *David*, and a Daughter married to *Robert Stuart*, and by Act of Parliament settled the Crown upon his Son *David*; and for want of Issue of him to *Robert Stuart*, his Grand-child by his Daughter: So here is the Succession of the Crown of *Scotland*, twice differently settled by Parliament, to the Disinheriting of *Edward Baliol*.

But in the Year 1332. *Edward Baliol* (the Right Heir) was received and Crowned King of *Scotland*. After that, *David Bruce* recovered the Kingdom of *Scotland*, and afterwards was taken Prisoner by the Queen of *England*, in the absence of her Husband *Edward* the 3d. in *France*, and being released, he died 1370.

Robert Stuart) Grand-son of *Robert Bruce*, by his Daughter) succeeded *David*, who married *Elizabeth of Bohemia*, Daughter of the Earl of *Ross*; but before he was King had issue by *Elizabeth Moor*, his Concubine, two Sons, *John* and *Robert*, and by the Queen he had issue *Walter*, Earl of *Atbol*, and *David* Earl of *Strathern*; yet by Act of Parliament the King Disinherited his Legitimate issue, and settled the Crown upon his Issue by *Elizabeth Moor*, from which Issue, all the Kings of *Scotland* have since descended.

This was the most unaccountable Accident, if we consider the Cause and Consequence (I think) that is recorded in any History , That a King and Parliament, by the Importunity of a Slut, should Disinherit his Legitimate Offspring from the Succession to the Crown of *Scotland*, to advance her Spurious Issue.

Its true, for some Reasons of State, the Right Heir is set aside, as *Edward*, Son of *Ethelred*, (after the *Confessor*) being young, and not a fit Match to Oppose the *Danes*: *Edward Ironside*, tho' Illegitimate, for his Strength and Courage, was said to be chosen King, as most likely to withstand the *Danish* Invasions; so *Edward the Confessor* observing the heavy and slow Nature of *Edgar* (the Grandson of *Edmund Iron-Side*) not to be a fit Match to oppose the turbulent aspiring Faction of *Harold*, and his Family; named *William*, Duke of *Normandy*, his Successor; but none of these were Reasons for the Deposing the Earls of *Atbol* and *Strathern*, being, for ought I find, much better qualified to Reign than either *John* or *Robert*, the Issue of *Elizabeth Moor*; for *John* was of an heavy and unactive Disposition not fit to govern, which made the King, his Father, to Constitute his younger Brother *Robert*, Vice-Roy, a Man of a violent and inveterate Disposition: So that these three *Dynasty's*, viz. the *Norman*, *British* and *Scottish*, were all derived from spurious Originals; and as *Henry* the 7th. was from *John* of *Gaunt* (who was never King) by *Catherine Swinford*; so is that of *Scotland* from *Robert Stuart*, the first of that Name (before he was King) by *Elizabeth Moor*.

But though the Parliament erected this *Dynasty* of the Kings of *Scotland*, yet this did not cease their power of altering the Succession of it in a right Line: For *James* the 2d. had issue two Sons *James* the 3d. who succeeded him and *Alexander*, Duke of *Albany*.

Alexander married two Wives, the first was a Daughter of the Earl of *Orkenney*, by whom he had a Son named *Alexander*; and after married a Daughter of the Earl of *Bulloign*, by whom he had a son named *John*; yet in *James* the Fifth his Reign, *John* was, by Parliament declared the second Person of the Kingdom, and next Heir to *James* the Fifth, notwithstanding the Claim and Protestation made by *Alexander*, (*John's* elder Brother) against it: And the *Scots* out of Parliament assumed a Power not only of altering the Succession of their Kings, but of Deposing them; for in the Year 1567, they deposed Queen *Mary* (the Daughter of *James* the Fifth) and set up King *James* the Sixth (after *James* the First of *England*) an Infant (scarce 14 Months old) in her stead; and by this Title he reigned in *Scotland* Twenty Years in his Mothers life, and to his dying Day owned this Title.

Yet this King, and his son, and two Grandsons after him, gloried in declaring their Titles to be by Inherent birth-right, and that they were accountable only to God for all their Actions: Here (how truly let the Reader judge) the Scene was laid, upon which they plaid their designed Game, which did not end so.

I do not account the Dynasty of the Kings of *England* in the *Scottish* Race since Queen *Elizabeth*, to be new in the Succession of the Persons of the four last Kings, I mean, King *James* the First, King *Charles* the First, King *Charles* the Second and King *James* the Second; yet I say it was new in the Exercise of it, and such as none of the Kings of the *Saxon*, *Danish*, or *Norman* Race, since

since *Henry* the Third, or of the *British* Race, ever pretended to claim: But in regard it has put the Nation into such a ferment for above 80 Years, and which, if God pleases not to put an end to, may prove as fatal to these Nations, as the Feuds between the *Guelp's* and *Gebilines*, did for above 300 Years, over-whelm *Germany* and *Italy* in most horrible Blood-shed and Devastation. We are more particular in taking a view of the Original of it.

From the time of the King's coming to London, *May* the 7th. to the 11th. of *January*, little more than 8 Months, *Stow* takes notice of 11 Proclamations, and upon the 11th. of *January* our comes another for calling a Parliament, which tho' new for the manner, yet more new for the substance, and such as never before heard of in *England*; and that we may the better take a view of the success of the Parliament of *England* in this King's reign: From this we will stay a little and consider the Constitution of a Parliament, and the principal ends of its Meeting.

The King is the Head, Principle and End of the Parliament, the Lords Spiritual and Temporal, and Commons which are made up of Knights of the Counties of *England* and *Wales*; Citizens sent from Cities, Burgeses sent from Corporations, and Barons sent from the Cinque Ports, which do not differ from Burgeses, but only in Name, are the Body; the Temporal Nobility sit in Parliament in their personal Capacities, but the Spiritual Nobility do not so, but in right of their Bishopricks which they hold of the King by Barony; and the Commons are said to be the Representative-body

of all the Commons of *England*, not noble by Birth, or in their Politick-Capacities, as the Bishops are, and in this Assembly resides the Supreme Authority of the Nation, which as they make Laws for the publick benefit, so are they lose from them, and are not obliged to them.

As the King is freed from the imputation of Tyranny in sanguinary Laws, and of Oppression in Taxing the Subjects; for how can the subjects complain of either, when their Representatives in Parliament promote them: So does a Parliament discharge the great Objection against Hereditary Monarchies, that tho' Princes see only with their own Eyes, and hear with their own Ears, as other Men do; yet so as it is impossible without a true Representation of the State of their Subjects, they can see or hear of the true State of them; whereby Minions and Flatterers, whose Interest is different from that of the Kingdom, which is the Throne of the Prince, is not conceal'd from the Prince, but false Representations made by them of it; whereas the Parliament is the Eye of the Nation, which sees the Abuses, which Flatterers by abusing the King's Name, and making it subservient to their Interest, impose upon it. The great Ends of the Meetings of Parliament are, first, to redress the Grievances of the Nation, if any be, by representing them to the King. Secondly, to punish Men, which are out of the reach of the ordinary Rules of Justice, which either abuse the King's Name to attain their Ends, or may prove dangerous to the Government. Thirdly, to make Laws against growing Evils, and to repeal Laws which have been found inconvenient to the Nation: And fourthly, to supply the King upon extraordinary Occasions for support of the

the Nation, as Times and Accidents may happen.

Heretofore the Meetings of Parliament were so frequent, that Sir *John Thompson*, in his Preface to the Earl of *Anglesey's* Memoires takes notice, That from the first of *Edward* the 3d. to the 14 of *Henry* the 4th. which was but 85 Years, there are 72 Original Writs for the Summons of Parliament; so that if you allow forty days from the Tests of the Writs to the returns, and but one Month for the Sittings of Parliament, there will not be a Years interval between the Dissolution of one Parliament, and the Summoning of another, and Mr. *Johnson* proves, that they were Annual, and fixt to meet on the first or the Kalends of *May*, which continued down to *Edward* the First, How or whether discontinued by *Edward* the 2d. I cannot tell; however, there are two Laws yet in force for the Annual Meeting of the King in Parliament, one the 4th. of *Edward* the 3d. c. 14. the other 36 *Edward* 3. c. 10. and when Parliaments thus frequently met, Grievances were nipped in the Bud; the Courts of Law kept to the Administration of Justice uprightly; the Ambition of great Men restrained; Factions and Innovations suppressed, and when the Parliament met thus frequently, the King had an account of the state of the Nation, and upon redress of Grievances if any were, the Parliament in acknowledgment of their Duty gave the King a Gratiuity, sometimes a Fifteenth, other times a Subsidy, and at other times a Subsidy and a Fifteenth, and sometimes a Subsidy and two Fifteenths; but never more before the 35 of *Eliz.* and the King in return, granted a general Pardon to his Subjects, with
such

such Exceptions as the Parliament pleased, and thus a mutual Love and Understanding between the King and his Subjects was nourished and encreased.

Whereas by the long discontinuance of Parliaments, Grievances multiply and take root, so as they become so much more difficult to be redressed, by how much longer the discontinuances last: The Favourites by their flattering the Prince, not only keep him in ignorance of the State of his Subjects, but fix the Prince so to their Will, that it becomes so habitual in him, that the Prince prefers them before his Subjects, wherein his Majesty is placed, and their Flatteries before the Advice of his Parliament, and often takes their parts, before that of the Parliament and Nation.

These long intervals of Parliaments you'll see will beget long Parliaments, and the Members get to be chosen by favour of great Men, and vast Expence; so that the Grievances which the Parliament Should redress, become diffused into the Body of the Parliament, then which nothing can be more dangerous to the Constitution of Parliament. Besides, that the publick Business may not be interrupted during the Sessions of Parliament; the Members of both Houses have Privileges whereof they are the only Judges, both in their own Persons, and of their Servants, whereby they are exempted from Arrests, or any Process at Law, which is not only grievous to their Subjects, but oft the Ruine of them: But now its time to see, what the King's Proclamation for calling his first Parliament tended to.

Before King *James* his coming to the Crown of England, the Election of Members in the House of Commons was so free, that the Letters of the King, or any Noble Man, to chuse a Member was judged cause sufficient to render the Election void ; but the King, by this Proclamation gives Order, what Sorts of Men, and how Qualified, should be chosen by the Commons, and concludes, *We notify by these Presents, That all Returns, and Certificates of Knights, Citizens and Burgeses, ought and are to be brought to the Court of Chancery, and there to be filed of Record, and if any be found to be made contrary to the Proclamation, the same is to be rejected as unlawful, and insufficient, and the City or Burrough to be fined for the same ; and if it be found they have committed any gross or wilful Default or Contempt in the Election Return, or Certificate, that then their Liberties, according to the Law, are to be seized, as forfeited : And if any Person take upon him the place of a Knight, Citizen or Burgess, not being duly Elected and Sworn, according to the Laws and Statutes in that behalf provided, and according to the Purport, effect, and true meaning of this our Proclamation, then every Person so offending to be fined and imprisoned for the same.*

Never was such a prelude to the Meeting of Parliament, by any of the Kings of England either of the Saxon, Danish, Norman, or British Race ; and if the King in the beginning thus extends his first Note above *E. L. A.* to what pitch will he strain his Prerogative hereafter. However since Forfeitures of Charters, Fining and Imprisoning of Members not Elected and Returned according to this Proclamation, were the Penalties imposed by it, for the better Execution, it might have

have been declared, who should judge of these Elections and Returns, or by what Law?

It fell out unluckily I think, I may say designedly, that upon the opening of the Parliament, several of the House of Commons, one of which was Sir *Herbert Crofts*, coming to hear the King's Speech in the House of Lords, had the door shut upon them, and were repulsed by a Yeoman of the Guard, one *Bryan Cash*, with the uncivil and contemptible Terms of, *Goodman Burges you come not here.*

The King, in a long and tedious Speech, (which you may read at large in *Stow's Chronicle*) after he had expressed his Thanks to the whole Nation for their Universal Acclamations, in receiving him for their undoubted Sovereign, which so much conduced to their Happiness in the Union of all Claims in his Person, being the undoubted Heir of *Hen. 7.* and *Elizabeth*, the Eldest Daughter of *Edward* the 4th. wherein the Titles of the Houses of *York* and *Lancaster* were reconciled: He tells them the Wonders which he will do, both in reference to the inward and outward Peace of the Kingdom, which how well he performed, you will hear hereafter: But as to the Glory which he ascribes to himself of being King by Inherent Birthright from *Hen. 7.* and his Queen, I think he could not have taken a worse Topick, for what he so much gloried in.

For no hereditary Monarch has a better Title to his Crown, than the Ancestor from whom he first claims, had; and it is evident, *Henry* the 7th. had no colour of Title to the Crown of *England* by Inheritance, being only descended from *John* of

of Gaunt, by Katherine Swinford, his Concubine, when John of Gaunt's Wife was alive ; nor could the King claim any Title from the Wife of Henry the 7th. for Henry himself would never own she had any, reigning not only during her life without naming her in Coins, Proclamations, or Laws; but after her death, and was not only Crowned without her, but called a Parliament without her, ere he was married to her, and had the Crown entailed upon him, and the Heirs of his Body, before he married her : Besides there is no Averment against an Act of Parliament, and the Act of the first of Richard the 3d. declares all the Issue of Edward the 4th. by the Lady Grey (the Mother of Henry the 7th's Wife) to be Illegitimate, and so incapable of any Inheritance to the Crown of England.

But how edified soever the Commons were with the King's Speech, they were little pleased with the Yeomen of the Guards usage of their Members, which in due time the King shall here of. However the King, who, since his coming in, had been acquainted only with Flatteries, introduced with the Epithet of *most Sacred* (which I find rarely applied to any of his Predecessors, and how properly applied to him, giving himself up to a dissolute and prophane Life, let another judge) was buoyed up with a mighty Expectation of the Success of his Proclamation and Speech, which did not succeed accordingly.

The Parliament met on Monday, March the 19th. and a Debate hapning in the House of Commons about the Return of the Election of Sir Francis Goodwin and Sir John Fortescue, for Knight of the Shire for the

the County of *Bucks*, the Commons, *Friday* the 23d. upon a full hearing determined Sir *Francis* to be lawfully Elected and Returned.

Tuesday, March the 26th. the Lords, by Sir *Edward Coke*, and Dr. *Hone* sent a Message to the Commons that the former Committees may (in a second Conference to be had) have Authority to treat touching the Case of Sir *Francis Goodwin*, the Knight of *Bucks*, first of all before any other Matters were proceeded in.

The Commons returned Answer, That they do conceive that it did not stand with the Honour of this House to give an Account of their Proceedings and Doings: But if their Lordships have any purpose to conferr for the residue, that then they will be ready at such time and place, and such number as their Lordships shall think meet.

Sir *Edward Coke*, &c. delivered from the Lords, that their Lordships taking notice in particular of the Return of the Sheriff of *Bucks*, and acquainting his Majesty with it, his Highness conceived himself engaged, and touched in Honour, that that there might be some Conference of it between the two Houses, and to that end signified his Pleasure unto them, and by them to this House.

The Commons by their speaker give their Reasons to the King, why they cannot conferr with the Lords: The King in return, charges the Commons to admit a Conference with the Judges; the Commons give Reasons, and Answer Objections, why they cannot Conferr with the Judges, and the third of *April*, deliver them at the Council-Chamber by Sir *Francis Bacon*, desiring that their Lordships, would be Mediators in behalf of the House for

his Majesty's satisfaction; the King in return, Commanded as an *Absolute King*, that there might be a Conference between the House and Judges.

The House upon return hereof, resolved to conferr with the King, in presence of the King and Council, and named a select Committee for the Conference; but the Success being doubtful, Sir *Francis* fearing this might cause a Rupture between the King and the House, and to remove all Impediments to the worthy and weighty Causes, which might, by this time, have been in a good furtherance, desired another Writ of Election for a Member in his stead.

Hereupon, and other Accidents succeeding, wherein the Commons supposing themselves agrieved, the Commons upon the 16th. of *June*, in an humble Apology to his Majesty, represent their Priviledges, and wherein they conceive themselves agrieved.

The stubborness of the Commons, for so the King would have it, so dissonant from the Flat-teries he had constantly sounding in his Ears, and of being an *Absolute King* by *Inherent Birth-right*, put the King so out of conceit with Parliaments, that in all his life, till the last Parliament of his Reign, when necessity brought him to it, he was never reconciled to them. But that we may more clearly see what followed, we will look back into the Reign of *Queen Elizabeth*.

There were three things which the Queen was impatient of being debated in Parliament, the succession of the Crown after her death; Her Marriage, and the making any Alterations in the Church, as it was Established in the first Year of her Reign.

But

But the Commons having a fearful Eye of a relaps into Popery, after the Nation had been freed from it, and the Queen of Scots being zealously addicted to the *Romish* Religion, and having not only assumed the Arms of *England*, as next Heir to Queen *Elizabeth*: But upon her Return from *France* into *Scotland*, by many Embassy solicited Queen *Elizabeth*, that she might be declared her Successor, in Case Queen *Elizabeth* died without Heirs of her Body: To prevent this, the Commons in manifold Addresses to the Queen, petitioned her to Marry, and Declare her Successor; and after the Duke of *Norfolk's* Conspiracy, and the Rebellion in the North under the Earls of *Northumberland* and *Westmorland*, wherein it appeared the Queen of Scots was privy and consenting, in all the Parliaments (I think) from the 9th. of *Elizabeth* to the Queen of *Scotland's* death, the Commons were importunate with the Queen to cut her off, which you may read at large in the Journals of the Parliaments of Queen *Elizabeth* set forth by Sir *Simon D'Eiues*.

The Queen fixed in these Resolutions, did often forbid the Parliament, upon their Allegiance, to enter into Debates upon them; yet some Zealous Members, the principal of which was one Mr. *Peter Wentworth*, as well in the case of the Queen of Scots, as for some Reformation in the Church, did several times endeavour to have them debated, upon which the Queen committed them to the Tower, tho' soon after they were Discharged: This the Commons in their Apology to the King take notice of, and pray that this be no president for the future, but that their Debates in Parlia-

ment may be free; but they shall find that this King's little Finger, and his Son's after him, shall be heavier upon them than Queen Elizabeth's Loins.

However this Apology of the Commons tended to a Rupture between the King and them within, yet the King was resolved to have Peace without the Kingdom, how inconsistent soever the Terms were; and to that end upon the 18th. of August following, being the 2d. Year of his Reign, he concluded a firm Peace with *Philip* the 3d. of Spain, and *Albert* and *Isabel*, Arch-Dukes of *Austria*, &c. and also a Treaty of Commerce, which as it was the most beneficial to the *English* Nation; so it was difficult, if not impossible, to observe the Peace, the King, as he had managed it, made the Treaty of Commerce to be but little beneficial to the Nation.

For the Year before, the King had renewed the Treaty of Alliance, which Queen Elizabeth had made with the *Dutch* States, where, though the King was not obliged to maintain such a number of Men for the *Dutch* support against the *Spaniards*, to be repaid at the end of the Warr, where by the Treaty with the Queen, *An. 1598.* the *Dutch* were not only to pay, but to repay the Queen Yearly 100000 *l.* till a Peace was made with *Spain*, when they were to pay her 2 Millions of Mony, with the Interest of 10 per Cent. deducting the 100000 *l.* per Ann. they were to pay; Yet by the 4th. Article of the said Treaty it was agreed, That neither the Kings of England nor Spain, shall themselves give, or shall consent to be given by any of their Vassals, Subjects or Inhabitation, Aid, Favour or Counsel directly or indi-

indirectly, on Sea, Land, or fresh waters; nor shall supply or Minister, or Consent to be supplied or ministered, by their said Vassals, Inhabitation or Subjects unto the Enemies or Rebels of either Part, of what Nature or Condition soever they be, (whether they shall invade the Countries and Dominions of either of them, or withdraw themselves from their Obedience and Subjection) any Soldiers, Provision of Victuals, Monies, Instruments of War, and whatsoever Aid else to maintain War, and the 5 Articles renounces all former Leagues, Confederacies, Capitulations and Intelligences to the contrary.

But though these two Articles pointed as directly as the Wit of man could devise, and to which King James swore, to withdraw the English and Scotch out of the Dutch service against the Spaniard, yet had the King no more Courage to do it, than he had to demand the 600000*l.* now due from the Dutch to him, by their Treaty with Queen Elizabeth in 1598. And King James to palliate this made it worse; by granting the King of Spain License to raise what Forces he could in any of his Dominions, to fight against the Dutch; so prodigal was this King of the Expence of his Subjects blood abroad, to keep an unsettled Peace at home, wherein he might follow his pleasure and Luxury and aspire to a Dominion over his Subjects, which none of his Predecessors ever claimed.

King James in the 7th. Article excuses the delivery of *Flushing, Brill, Rammekins*, and other Forts in the English Possession in the Netherlands, to the King of Spain, because of the Contracts made between Queen Elizabeth and the States, by which she being engaged in Faith and Honour,

was not free to him for restore the same to the Arch-dukes; yet, on the Word of a King, he promises to enter into a Treaty with the said States, wherein he will assign a competent time to them, to accept, and receive Terms agreeable to Justice and Equity, for a pacification with the Arch-Dukes, (to whom the King of *Spain* had assigned the Dominions of the *Low-Countries*) which if the *States* shall refuse, his Majesty from thenceforth, as being freed from the former Conventions, will determine of the said Towns, according as it shall be Just and Honourable, wherein the said Princes, his loving Brethren, shall find there shall be no want in him of those good Offices, which can be expected from a friendly Prince: How well the King performed his Promise you will hear hereafter; but I find no time Set by the King, when he entered into any Treaty herein with the *States*.

As the King of *Spain* and Arch-Dukes got but little by this Treaty of Peace, so did the *English* Nation, as the King had ordered it, get as little by the Treaty of Commerce; for if you consider Man in his Nature, he is born naked, and the Generality of Mankind have nothing to Feed, Cloath, provide an Habitation, or defend themselves, but as they are assisted by other Men, and as they are born to nothing, but what they get from others, so if any rob or steal from another any thing, this will be an Injury to that other: Nor does Man, born in this poor state, know how to get, or be supplied by another with either Food, Raiment, or an Habitation, but as he shall be taught or instructed by another; so that after all, the generality of Man-

the Mankind in their most perfect State, eat their Bread
 by the sweat of their Brows, and in the cares of
 their Mind: To debarr therefore any Man from
 his honest Labours, whereby he gets his Subsistence,
 is a greater violation of the Law of Nature, than
 to rob another, and equal to the depriving another
 by Injustice of an Estate whereon a Man lives, and
 is a greater Injury than the Tyranny of *Pharoah* o-
 ver the Children of *Israel*, in compelling them to
 make Brick, yet denying them straw; for this im-
 posed upon the *Israelites* a greater hardship **Now** to
 live, whereas that denies poor Men their Means
 of living; and by consequence, it is a greater Ty-
 ranny and Injustice for any Man, or company of
 Men, either by Law, or without Law, to arrogate
 to themselves a Monopoly in any lawful Employ-
 ment exclusive to other Men, than to rob any of
 them, for this but hinders them in their Livelih-
 hood, whereas that takes from them all their Means
 of Living.

Nor are Monopolies less Impolitick than injuri-
 ous, for the restraining the Labours and Industry
 of Men in any Profession, Art or Mystery in any
 Country to a few, does not only hinder the im-
 provement of them in that Country, but makes
 open a way to the People of other Countries, not
 only to enlarge but improve them, as much to their
 benefit, as to the Loss of that Country, where they
 are restrained to a few.

And if Monopolies be so wicked, impolitick and
 injurious, in restraining the Labours and Industry
 of Men, the Monopolizing the product of Men's
 Labour by Navigation in foreign Trade, is not less,
 but

but more ; for no Man will labour, who cannot enjoy the Fruits of his Labours ; and the great Benefit herein, which *England* enjoys, is, that being the greater and better part of the Isle of *Britain*, it abounds with more Noble and better Ports (except *Ireland*) to vend the product of Men's Labours, upon the Materials which it abounds with, than any other Country. To Monopolize therefore the Foreign Vent of our Manufactures to any Men, or Company of Men, is doubly injurious not only to our Artificers in them, but to those Countries which might otherwise reap the Benefit of them, and by this Restriction gives other Countries the opportunity of supplying them.

Nor does the Injury and Impolicy of Restraining the foreign Vent of our Manufactures stay here, for by it infinite People might be supplied with manifold things from other Countries, as Pitch, Tarr, Hemp, Flax, Bees-wax, Elephant's Teeth, Raw-silks, all sorts of Dying, Stuffs, &c. whereof the Nation stands in need, which being restrained to a few, that cannot be supplied by them, at best are so dear, that they can so much more difficultly subsist by their Labour, and Establish the Manufactures of these upon the Inhabitants of other Countries, who are permitted to have them more plentiful and cheap.

Nor does the Injury and Impolicy of Monopolizing of foreign Trades end here ; for as the Riches of *England* are derived from our foreign Trades, so is the Strength and Glory of it founded in Navigation, which Trade being a principle to it, will be so much lessened, as the foreign Vent of our Manufactures and their Returns are restrained: We have
thought

thought fit to premise this, that a better view may be had of what follows.

The first day the King came to *London*, after the death of Queen *Elizabeth*, viz. the 7th. of *May*, he issued out a Proclamation to cease the exacting all Monopolies and Protections, that hindred Men's Suits in Law, and to forbid the Oppressions done by *Salt-Petre*-makers, Purveyors and Cart-takers ; but this was too hot to hold.

For the Treaty of Peace and Commerce with *Spain* was no sooner made, but the King made a Monopoly of the Trade to *Spain* and *Italy*, by Incorporating it in a Company exclusive to other Men: Hereupon the Parliament then sitting, made that memorable Law founded upon those unanswerable Reasons of a *National Interest* ; and the manifold Inconveniencies the Incorporating those Trades in a Company, brought to the Navigation of the Nation, both in the foreign Vent of our Manufactures, and in their Returns, to the ruine of infinite Artificers, Seamen and Shipwrights, and to the Diminution of the King's Revenue : Whereupon these Trades were declared Free, and have ever since continued so, to the inestimable Benefit of this Nation.

But though the Reasons in this Act, extends to all our other Beneficial Trades, as to *Turkey*, the *East-Country* and *Hamburg* Trades, and to *Africa* and the *East-Indies* ; yet all these Trades are Monopolized into Companies, exclusive to other Men, as much to the prejudice of the Nation, as the making the *Spanish* Trade free was beneficial to it.

About this time the Clergy (at least a Faction, which stiled themselves the Clergy) made an Attempt

tempt to try how far their Doctrine of *Absolute Power* in the King had taken root in him; they had gained their point so far, as the King had declared his Command to the Commons as *Absolute King*, and now they'll see whether the King would assert it, and the Case was this.

Arch-bishop *Whitgift*, (a Prelate of singular Piety and Humility) died the last Day of *February*, in the first Year of the King, and Doctor *Richard Bancroft* (a Man of a rough Temper, a stout Football-player) as Zealous an Assertor of the Rights of the Church of *England*, or rather a Faction of Church-men, who arrogated to themselves the Title, as *Julius* the 2d. was of the Papacy, exhibited to the King and Council 25 Articles, in the Name of all the Clergy of *England*, called *Articuli Cleri*, which were desired to be reformed in granting Prohibitions, though there were a Parliament and Convocation then Sitting, which I do not find had any hand in it.

This Exhibition, as it ascribed an *Absolute Power* in the King, so it struck directly at the Constitution of Parliament, the principal End of which, is to redress Grievances and Abuses in the Nation; and if the King's Council, during the sitting of a Parliament shall ascribe to themselves this Power, then the great End of Parliaments redressing Grievances and Abuses, is in vain: However *Bancroft* herein, not only makes the King's Council to have a concurring Power with the Parliament, but paramount to it, by exhibiting these Articles in the sitting of a Parliament and Convocation; but the Judges gave so clear and distinct an Answer to them all, that the King did not think fit to meddle in them; yet did not

Bancroft

Bancroft rest here, as you will hear hereafter. The Articles, and the Judges's Answer to them, you may read at large in *Sir Edward Coke's 2d. Institute, tit. Articuli Cleri.*

Whilst *Bancroft* was thus ascribing to the King this *Absolute Power*, and exalting a Faction of Churchmen, above the true State of the Clergy, which is one of the three States of the Nation, and above the Nobility and Commonalty, which are the other two: The Popish Faction were plotting a Design, not only to destroy the Church of *England*, but the very Person of the King, with the Nobility and Commons convened in Parliament, which was to have been executed upon the Fifth of *November* following, the Day on which the Parliament were to meet.

The Popish-party hoped (and it may be not unreasonably) that the King, in regard of his Mother's Religion, was not averse to theirs, so that if he became not of their Church, (which in his Speech at the opening the Parliament, he owns our Mother-Church,) at least hoped to have they Religion tollerated; whereas finding the King in his Speech, after he had declaimed against the Heresies and Abuses crept into their Church, and the Popes having arrogated an Imperial Civil-power over Kings and Emperors, by dethroning and dethroning them with his foot, and disposing of their Kingdoms; and the Jesuites practice of Assassinating and Murdering Kings, if they be Cursed by the Pope: That so long as they maintained these, they were not sufferable in the Kingdom; from this time forward, and it may be before, a Popish Crew contrived how to bring in their Catholick

sholick Religion, they cared not which way, so might be done: At last it was agreed upon the Opening of the Session of Parliament upon the 5th of *November*, one part of the Conspirators should blow up the Lord's House, while the King, Prince with the Nobility and Commons were in it (having prepared all things in a readines) whilst another part should seize upon the Lady *Elizabeth* (after Queen of *Bobemia*) and proclaim her Queen. But the Plot being discovered, the Conspirators were defeated of both their Designs.

The Horror and Terror of this Conspiracy, the discovery whereof, was industriously divulged and beleived to be by the King's great Wisdom and Care, reconciled for a time all Differences between him and Parliament; and the Parliament to gratify the King, the Clergy gave him 4 Subsidies, at 4 Shillings in the Pound, and the Temporality three Subsidies and six Fifteenths, (which was three-fold more than any Parliament, in one Session, gave Queen *Elizabeth*, before that of the 35 *Eliz.* notwithstanding the payment of her Father's, Brother's and Sister's Debts, her expelling the *French* out of *Scotland*, the Building and Repairing the Navy Royal, the support of the Reformed in *France*, the subduing the Rebellion in the North, the support of the *Dutch* in the *Netherlands*, the *Irish* War, and the Overthrow of the *Spanish* Armada in 88. The Parliament Enacted the Oath of Allegiance, which *Bellarmino*, under the Name of *Tortus*, wrote against, and *Andrews*, Bishop of *Winton*, under the Name of *Tortura Torti*, defended it. The Parliament too Ordained the Anniversary of the Fifth of *November*, to be Celebrated for a perpetual Thanksgiving-day for the

the Kings and Kingdoms delivery from this Conspiracy: All heats about *Prerogative* and *Privilege* were now laid aside; the Pulpits and our Universities rang with Declamations against the Heresies and Usurpations of the Church of *Rome*, and now the King gave himself wholly to Hunting, Plays, Masques, Balls, and writing against *Bellarmino*, and the Pope's Supremacy, in arrogating a power over Kings, and Disposing of their Kingdoms; and thus the case stood for four Years after, wherein I scarce find any thing worth mentioning.

But whilst the King was thus wallowing in Pleasure, he wholly gave himself up to be governed by Favourites to whom he was above any other King of *England*, (except *Henry the 8th.*) excessively Prodigal, not only in honours and Offices, but of the Revenues of the Crown, and Aids given in Parliament, and these being of both Nations, *Scotch*, as well as *English*, made them to be the more intollerable: All things being at Peace abroad, publick Affairs were neglected or scarce thought of, whilst the *Dutch* still grew more powerful at Sea, and without any Aid from the King, were Matches for the King of *Spain* by Land; and *Henry the 4th.* of *France* was accumulating incredible Treasure at Home, and laying the foundation of vast Designs abroad, whereof the King took no notice, his Genius lying another way.

In this Lethargy of State, *Bancroft*, about 4 Years after the Discovery of the Popish-plot, viz. in the Seventh. Year of the King, (notwithstanding the Judge's Answer to the Articles exhibited to the King, against granting Prohibitions and that the Parliament was still sitting) repeated

peated his Exhibitions: But however the King inclined to favour *Bancroft*, he had not Courage enough to over-rule the Judge's Answer to them, it may be for fear the Parliament should interpose, or indispose them to Grant him more Money, whereof already he stood in great need.

But the Parliament however they gratified the King for their Deliverance from the Popish Conspiracy, did not think fit to pour it forth so plentifully, now in times of Peace, to be profusely thrown upon Favourites and Minions, who were no more Friends to them, then they to the Established Church of *England*.

To supply the King's necessity, as he made them, one Doctor *Cowell* (no doubt set upon it by *Bancroft*, and those called the Church) the next Year after published his *Interpreter*, wherein he premises these three Principles: First, that the King was *Solutus a legibus*, not bound by his Coronation-Oath. 2dly, That it was not *ex Necessitate*, that the King should call a Parliament to make Laws, but might do it by his *Absolute Power*. 3dly, It was a Favour to admit the Consent of the Subjects, in giving Subsidies.

Cowell's Interpreter, was not only Printed, but publicly sold without Impunity, and this gave Encouragement to the publishing many others to the same purpose, among which one *Blackwood* published one, which concluded that we were all slaves, by reason of the Conquest.

The Commons, tho' they took no notice of *Bancroft*, and his Articles against Prohibitions, took fire at these, and intended to have proceeded severely against them, but the King interposed, and

and promised to call in these Books by Proclamation, as he did, but they were out, and the Proclamation could not call them in, but only served to make them more taken notice of: But this had not the desired Effect of getting more Money, then one Subsidy, and one Tenth, whereupon the King, by Proclamation, dissolved them the 31th. of *December*, 1609. after they had sat near seven Years, wherein the King set forth that he had proposed many things far differing and surpassing the Graces and Favours of former times, both in Nature and Value, in expectation of a good Conclusion of some weighty Cause which had been there in deliberation, not only for the supply of the Necessities of his Majesty's Estate, but for the Ease and Freedom of his Subjects; but these being these two last Sessions little taken notice of; and that the Members, by reason of the length of the Parliament, were debarred from the Hospitality they kept in the Country, and that divers Shires, Cities and Burroughs had been burdened with Expence of maintaining their Members, for these Reasons he dissolved them; so that they should not need to Meet at the Day set by their Prorogation.

CHAP. II.

A Continuation of this Reign, to the Dissolution of the Second Parliament, 1614.

BUT how precarious soever the King was to get Money of the Parliament, he had not Courage enough to demand the 100000 *l. per An.* by the Treaty between Queen *Elizabeth*, and the *Dutch* States in 1598, whereby Eleven hundred Thousand Pounds was due to him, much less to demand the Principal Debt, *viz.* Two Millions, and also two Millions, and two Hundred thousand Pounds due for Eleven Year's Interest, at ~~10~~ *per Cent.* Now, by the Mediation of several Princes, but especially by King *James* this Year, a Truce or Peace for 12 Years was Concluded between the King of *Spain* and the Arch-dukes, *Albert* and *Isabel*, and the *Dutch*, wherein the *Dutch* were declared Free States, and independent upon the Crown of *Spain*, or Arch-Dukes: But tho' the King had not Courage enough to demand the Monies due to him from the *Dutch*, by the Treaty with Queen *Elizabeth*, he had so much as to enter into a Treaty with the *Dutch*, for a Tribute to be paid to him for License to fish upon the Coasts of *England* and *Scotland*; but the *Dutch* observed this no better than that with the Queen, and the King got less by it.

Long Parliaments beget long Intervals, in which Grievances become so multiplied and fixed, that they become so much more difficult to be redressed.

ed, by much longer the Intervals are : And since the King could not get Money of the Parliament, and was afraid to demand any of the *Dutch*, let's see what Courses he took to get Money, during the Interval from this Parliament, to the Meeting of the next, which was five Years, and how the Case stood with him.

In the opening of the first Parliament, the King tells them, that he was so far from encreasing their Burden, with *Reheboam*, as that he had so much, as either Time, Occasion, or Law could permit, lightned them; and, at that time, had been careful to revise and consider deeply upon the Laws made against them, that some Overture may be proposed in Parliament for clearing those Laws by Reason, (which is the Soul of the Law) in case they have been, in times past, further or more rigorously executed by Judges that the Meaning of the Law was, or might tend to the hurt as well of the Innocent, as guilty Persons.

At the Dissolution of the Parliament, the King's principal Favourites were *Henry Howard*, (Brother to the Duke of *Norfolk*, whom Queen *Elizabeth* beheaded) though a Papist, yet Lord Privy-Seal, *Robert Cecil*, Earl of *Salisbury*, Lord Treasurer, *Philip*, Earl of *Mountgomery*, (for a certain Reason) *Thomas Lord Walden*, (Son of the Duke of *Norfolk*) after created Earl of *Suffolk*, and Sir *Henry Rich*, after Earl of *Holland*, *English* ; the Earl of *Dunbar*, Sir *Alexander Hay*, and Sir *Robert Carr* (who, in a short time shall over-top them all) *Scottish*.

There was a Story currant in those Times, which I have heard from some credible Persons which did live in that time, That King *James* having given

Sir Robert Carr a Boon of 20000 *l.* my Lord Treasurer Salisbury, that he might make the King sensible of what he had done, invited the King to an Entertainment, and so ordered it, that before the King should come at it, he should pass through a Room wherein he had placed four Tables, and upon each Table lay 5000 *l.* in Silver; when the King came into the Passage he started, and was amazed at the sight (having never before seen such a Summ) he asked the Treasurer the meaning of it, who told the King, *It was the Boon he had given Sir Robert Carr: Swounds Man* (the Oath he usually swore) *But five Thousand should serve his turn*, and so for that time the Treasurer saved the King the other fifteen Thousand Pounds.

To support these Favourites, and other of the King's Country-men of less Note, was all the King's care, notwithstanding his foreign Affairs, or his Proclamation at his first coming to London, against Monopolies, or his Speech at the opening of the Parliament: But since Money cannot be had by Parliament, other means must be found out.

There were many Ways used for raising Monies during this Interval of Parliament: First, Monopolies which swarmed more than in any King's Reign before. Secondly, Payments for new invented Knighthoods, never before heard of in England in Times of Peace, called *Baronets*, the Price was a 1000 *l.* and the King to quicken the Market, promised to make but 200 of them; though when this Market was done, he kept it up all his Life-time after. Thirdly, tho' the Baronets paid for their Honours, yet the King issued out Commissions for reviving the old *Obsolete Laws*, for making Men
which

which could expend 40 *l. per Annum.* to compound for not being Knighted. Fourthly, Payments for being made Knights of *Nova Scotia.* Fifthly, the purchasing of *English* Honours at certain set Prizes, a Baron at 10000 *l.* a Viscount at 15000 *l.* an Earl at 20000 *l.* Sixthly, payments for *Scottish* and *Irish* Honours, I do not find set Prizes of these; *Scottish* Honours of the same Title to have the precedence of an *Irish*, as a *Scottish* Baron, Viscount or Earl, to have the precedence of an *Irish*; and tho' an *English* Honour of like Degree had the precedence of either of the other, yet if either of the other had a higher Title, he should precede an *English* Peer under a less; as a *Scottish* or *Irish* Viscount shall precede an *English* Baron, so such an Earl shall precede an *English* Viscount. Sixthly, Compositions upon Defective Titles. Seventhly, Compositions for *Assart* Lands. Eighthly, Monies for making Prince *Henry* Knight. Ninthly, Monies to marry the Lady *Elizabeth* to the *Palsgrave.* Tenthly, a Benevolence. Eleventhly, Monies borrowed upon *Privy-Seals*, and never re-paid, besides Sales of Lands, Woods and Fee-farm Rents, &c.

During this Interval of Parliament, was perpetrated a most horrible Murder upon the person of Sir *Thomas Overbury*, which is the more remarkable if it be considered how far (tho' the King detested the fact) Favourites had the Ascendant over the King, and how the King influenced the causes of this Murder, and that the story may more intirely consist, it will be necessary to borrow a little of common Fame.

Sir *Robert Carr* was made Viscount *Rochester* the 25th. of *March* 1612, and upon the 22d. of *April*

following, was made one of the King's Privy-Council, and having the Ascendant above all other Favourites over the King; he chose a Council of some Persons, how to advance himself in this great power: Of these Sir *Thomas Overbury* (a Gentleman of brisk and lively parts) was the cheif, who had as much an ascendant over the Lord *Rocheſter*, as he had over the King; and as *Rocheſter* was a Favourite, so was *Thomas*, Earl of *Suffolk*, who had a Daughter named *Frances*, married to *Robert*, Earl of *Essex*, Son of *Robert*, cut off in the last Year of Queen *Elizabeth*, and after was General of the Army raised by the Parliament in the late *Civil Wars*, The first Year of King *James*.

Though of disagreeing Humors, the Earl and Countess were of agreeable Years when they were married, both about the Age of Twelve Years, and now had lived above Ten Years without any carnal Knowledge of one with the other (as both confessed when the Countess sued for a Divorce) whereto the Countess was intollerably bent; and if publick Fame may be credited, and which is attested by a Writer of the first 14 Years of King *James* his Life, chap. 7. she entered into a Conspiracy with one *Anne Turner* to have poisoned the Earl.

But how cold soever the Countess was in her Affections to the Earl, they were not less on fire to my Lord of *Rocheſter*; and that these Flames might soar in an equal height, the Countess, by the help of Mrs. *Turner*, procures one Doctor *Fireman* (as he was called) to bewitch *Rocheſter* into equal Desires of mutual Love with the Countess; and now the familiarity between the Countess and *Rocheſter* becomes publickly scandalous.

How-

However the Earl continued his Love to the Countess, but withall acquainted her with the Dishonour he brought upon him, and more upon her self by her loose Life, which was now become so publickly taken notice of; this was so far from reclaiming the Countess, that it stung her to the quick, and instead of Reformation, she, by Letters to Mrs. Turner (who, the Countess says, is all her hopes of good in this World) and by her to Dr. Fereman (whom she calls sweet Father, and subscribes herself his affectionate Daughter Frances Essex,) endeavours to procure the Doctor to bewitch the Earl to frigidity towards her.

Sir Francis Bacon, in his Charge against my Lord Rochester, after Earl of Sommerfet, at his Tryal for the Murder of Sir Thomas Overbury, gives Sir Thomas hard words, as *That there was little in him that was solid for Religion, or Moral Vertue, but was wholly possess'd with Ambition and vain-Glory, and was loath to have any Partners in my Lord of Rochester's favour; and that to flatter my Lord in his unlawful Love with the Countess of Essex; Sir Thomas had made his brags that he had won Rochester the Love of the Countess, his Letters and Industry.*

But these stoln Pleasures could not satiate the Countess's desires, and that she might enjoy them to be compleat, she endeavours, since the design of poisoning the Earl did not succeed, to make way to her Desires of marrying Rochester, by suing out a Divorce against the said Earl, which she acquaints Rochester with, and Rochester and the Countess acquaint the Earl of Northampton, who before was privy, and consenting to the familiarity between them, and was easily induced to join in procuring a Divorce.

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Tho' this was agreed between them, yet the Viscount would not proceed further, till he had consulted Sir Thomas Overbury, protesting he (the Viscount) would do nothing without his Advice. Sir Thomas told him, *The marrying the Countess would not be only hurtful to his Preferment, but helpful to subvert and overthrow him, and who would (being possessed of so great Possibilities as he was, so great Honours and large Revenues, and daily in expectation of others, cast all away upon a Woman, noted for her Injury and Immodesty, and pull upon himself the hatred and Contempt of great Personages for so small a Matter? Then he willed the Viscount to consider with himself the Condition of the Countess, the manner of her Carriage from her Youth, her present Conversation, the many Envies, Dishonours and Dislikes which attend upon her; and besides, which is the Opinion of the Vulgar (and he should find it so) many Evils to attend his Subversion and Overthrow. That it was not the Nature of a wise Man to make her his Wife, whom he had made his Whore. Lastly, Sir Thomas advised him that he should expect no better requital from her, than such as she had shewed to her former Husband; and withal to weigh the present Condition he is in, and compare it with the future, and much more to this purpose; and that Honour is not attended by Voluptuousness, nor the ruines of a rotten Branch to be cherished upon a new-planted Tree; but if he (the Viscount) meant to be made famous, and to continue that with him which he now freely enjoyed, Sir Thomas his Opinion was, That he should utterly leave and forsake the Countess's Company, and hold her both hurtful and hateful.*

Rocheſter

Rochester was surprized at *Overbury's* Advice, and the more, by how much less he expected it, and falls out with *Overbury*, and gives him harsh Language, but *Overbury* retorts again, and persists in his Advice, and demands his Portion due to him of *Rochester*, and so to leave him to his own Fortunes.

If *Rochester* was surprized at *Overbury's* Advice, the Countess was enraged at it, so as nothing less than *Overbury's* Blood could appease her revenge, but how to compass it would be a work of time, and required deep Consideration, Secrecy and Resolution ; but we leave this affair here to take view of other Occurrences which happened this year, 1610.

To the Kings former Monopolies, he this year added another which caused many Commotions here, and endangered a Rupture with the *Dutch*, and this was the Case. The *English* at this time were not skilled in the Art of Dressing and Dying English Wool-man Manufactures, but after they were made here, they were vented into *Holland*, where they were dressed and dyed : Alderman Cockaine, and some rich Citizens, having, as was said, promised *Rochester*, *Northampton*, and the Lord Treasurer, great Sums of Money to procure them a Patent for Dressing and Dying of Cloths, and that the King would seize into his hands the Charter of the Merchant Adventurers for Transporting white undressed Cloaths ; Cockaine pretending, that besides the enriching the Nation, multitudes of poor People might be employed to the benefit of the Nation, which now were a burden to it : Hereupon the King seizes upon the Merchant Adventurer's Patent, and Grants to Cockaine, and others, a new Patent for Dressing and Dying Cloaths.

But

But *Cockaine's* Project succeeded both ways quite contrary, for the *Dutch* prohibited the Importation of *English Drest and Dyed Cloaths from England* and *Cockaine*, and his Company, not only Dyed and Dressed the Cloths worse and dearer (which are ever the consequences of Monopolies) than they were in *Holland*; but these being restrained to a Company, they could not neer Dress and Dye the Cloths made in *England*: Whereupon the making Cloths stood at a stand, and infinite numbers of poor People, which were employed in making Cloths, lay idle, and were reduced to a starving Condition; this raised great clamours, which arrived at the Council; which to pacifie, the Council permitted some quantities of white Cloths to be Transported, but this did at present but skin the Soar, not cure it, as you will soon hear.

This Year was wound up in a mournful *Catastrophe*, for upon the 6th. of *November*, Prince *Henry* died in the beinning of the Blossom of his Youth, being 18 Years, 8 Months, and 17 Days old: A Prince adorned with Wisdom and Piety above his Years, strength and ability of Body, equal to any Man; of a Noble and Heroick Disposition, and an hater of Flatteries and Flatterers, and therefore fell flat at odds with *Rocheſter*, not once giving him any Countenance, or vouchsafing him his Company.

I have heard my Father (who was about the Prince's Age) tell several Stories of him: Once when the Prince was hunting the Stag, it chanced the Stag being spent, crossed the Road, where a Butcher and his Dog were travelling, the Dog Killed the Stag which was so great that the Butcher

er could not carry him off: When the Huntsmen and Company came up, they fell at odds with the Butcher, and endeavoured to incense the Prince against him; to whom the Prince soberly answered, *What if the Butcher's Dog Killed the Stag, what could the Butcher help it?* They replied, *If his Father had been served so he would have sworn so as no Man could have endured it:* Away, replied the Prince, *all the Pleasure in the World is not worth an Oath.* Another time, when the French Ambassador came to take his leave of the Prince, the Ambassador asked him, *What Service he would command him to his Master;* the Prince bid him tell his Master what he was doing, being then Tossing a Pike. The Prince had an high Esteem for Sir Walter Raleigh, and would say, *No other King but his Father, would keep such a Man as Sir Walter in such a Cage,* meaning the Tower.

His Court was more frequented than the King's, and by another sort of Men; so that the King was heard to say, *Will he bury me alive?* And the high Church-Favourites taxt him for being a Patriot to the Puritans.

Never was any Prince's death more universally and cordially Lamented, and the more, by how much the suddenness of his Death being known, before his Sickness was scarce heard of, was surprizing: As Men's humors flowed they vented their Passions, some said *A French Physician killed him,* others *He was poisoned;* and it was observed, that poisoning was never more in Fashion than at this time; others, *That he was Bewitched, &c.*

Whether it were to appease these Clamours, or out of curiosity, I cannot tell, but Dr. *Mayerne*, Dr. *Atkins*

Atkins, Dr. Hammond, Dr. Palmer, Dr. Gifford and Dr. Butler, were Ordered to Dissect the Prince's Body the next day after his death, and to give their Opinions of it, which were

First, They found his Liver paler than ordinary, in certain places somewhat Wan; his Gall without any choler in it, and distended with Wind.

Secondly, His Spleen, in divers places, more than ordinarily black.

Thirdly, His Stomach was in no part offended.

Fourthly, His Midriff, in divers places, black.

Fifthly, His Lungs were very black, and in divers places spotted, and of a thin watry Blood.

Sixthly, That the Veins of the hinder-part of his Head were fuller than ordinary, but the Ventricles and hollowness of the Brain were full of clear water.

However Prince *Henry* died, *Henry* the 4th. of *France* died by a violent Death, being stabb'd by *Raviliac*, the 4th. of *May* this Year, his Predecessor *Henry* the 3d. being about 12 Years before stabb'd by *James Clement*, a *Jacobite* Friar. At *Henry* the 4th. his death there was an universal Peace in *Christendom*, when he was putting it into an Universal War, all the Western Princes in *Christendom*, except King *James*, were engaged in it, against the House of *Austria*; but it was so vast, as in the Nature of things, if *Henry* had been young, as he was in the 57th. Year of his Age, he could not have liv'd to have accomplish'd it; At his death, tho' he lived but 13 Years after the Treaty of *Ver-vins*, when he made peace with *Philip* the 2d. of *Spain*: He had amassed such a Treasure, as is incredible, if so great an Historian as *Messery* had not

not testified it; especially if it be considered that before the Treaty at *Vervins*, *France* had for 40 Years before been imbroiled in a Civil-War, and with *Spain*; and these Wars being in all the parts of *France*, *France* was never before in so poor and feeble a state, and *Henry* himself after the Peace, giving himself up to Venery and Gaming, above any King of *France* before him, or since: Nor can it be imagined, from whence such Treasures should arise, for there are no Gold nor Silver-Mines in *France*, unless it were from the Trades which the *English*, *Dutch*, *Dane*, *Swede*, and *Hamburgers* drove into *France*. However *Henry* was addicted to Women and Gaming; yet otherwise he excelled all the Kings of the Age, not only in Heroick Virtues, but in Prudence, Constancy and Secresy in his Designs; curious in Enquiry into the Qualities of Men, whom he would prefer, as their Qualities merited; and was pleasant and Witty in his Conversation, and always disposed to take the Impression of good Council.

He left his Son (a Prince of weak Constitution both of Body and Mind) at ten Years of Age, and his Wife (an imperious bigotted *Italian* to the Church of *Rome*) Regent: These overthrew all the Methods which *Henry* had laid, for promoting the *French* grandeur, and gave them selves up to be governed by Favourites, yet in a different manner from those in *England*, whereby they Squandered away all that inestimable Treasure which *Henry* left, in less than half the time *Henry* had been collecting it; and put all *France* into Tumults and Wars, whilst the *English* patiently submitted to the Exorbitances of King *James* his Favourites; and by

by Proclamations were forbid to mention them, or talk of their Government, no not in Parliament : And now 'tis time to return to *England*, and see what's doing there.

If we begin this Year 1611, with *January*, we shall find two Marriages in it, to succeed the two Deaths of the two famous *Henry's* of *England* and *France* : The first was upon the 14th. of *February*, being *Sbrove-sunday*, between *Frederick*, Count Palatine of the *Rhine*, commonly called the *Palsgrave*, and the Princess *Elizabeth*, the Kings only Daughter ; and the Triumphs, Pageants, and other Gayeties upon the *Thames* in the City, and Inns of Court, far exceeded any before seen in *England*, which you may read at large in *Stow's Chronicle* fol. 1004. so as the Tears for the Death of Prince *Henry*, were over-flowed by the excess of Joy for this Marriage.

However *Northampton* was not pleased with it, nor the Emperor, or King of *Spain*, and from the same Causes. viz. It would so far advance the Protestant Interest in *Germany*, as to make it more formidable to the Popish Religion ; and 'tis certain (for I had it from good Authority) that Queen *Anne* was averse to it ; and to put the Princess out of Conceit of it, would usually call her Daughter, *Goodwife Palsgrave*, to which the Princess would answer, *She would rather be the Palsgrave's Wife, than the greatest Papist Queen in Christendom*. The reason of the Queen's aversion to this Marriage is not said, but certain it is, that these fading Joys for this Marriage, were succeeded by sixt and real Calamities, which the King took little care to prevent, and shall never live to see, nor his Son after him, an end of.

While

While the preparations for solemnizing this Marriage were making, a different sort was making for another, between the Viscount *Rochester*, and the Countess of *Essex*; and to make the Way to it more passable, two Rubs were to be removed, one to take off Sir *Thomas Overbury*, the other to procure a Divorce, not only a *Mensa & Toro*, between the Earl and the Countess, but a *Nullity*, whereby the Countess should be free to Marry as she pleased, and she had agreed upon the Person.

To remove Sir *Thomas* it was agreed between the Earl of *Northampton*, *Rochester*, and the Countess, that Sir *Thomas* should be sent Ambassador to the Great Duke (or Emperor) of *Russia*, so that if Sir *Thomas* did accept of it, he should be far enough out of the way to hinder this Design; and if he did not, to Commit him to the *Tower*, where they would do well enough with him. The business of the Embassy was no sooner propounded to the King, but assented to by him: And Sir *Thomas* was not unwilling to undertake it.

How harsh so ever *Rochester* was to Sir *Thomas*, when he dissuaded *Rochester* from marrying the Countess, yet now he becomes instant kind to Sir *Thomas*, and tells him, *How much he relied upon his Integrity and Parts, which, in his absence, he should not only want, but that thereby Sir Thomas would give occasion to his Enemies, which were many, and upon Rochester's account to ruine him, when as it would not be in Rochester's power to prevent it; but if Sir Thomas would refuse to undertake this Embassy, Rochester would, in a short time, under take to reconcile him to the King, and Sir Thomas would in the mean*

time be at hand to assist him with his Counsel upon all Occasions.

This was all deep Dissimulation, which Sir Thomas took to be in good earnest, and so Sir Thomas excused his going on this Errand, and this was what Rochester desired: Hereupon Rochester possest the King, that Sir Thomas was not only grown insolent and intollerable to him, but to the King, by contemning him, in refusing to go on this Embassage: The King becomes incensed hereat, and the more, as 'twas commonly said Sir Thomas had vented some stinging Sarcasms upon the Court, which came to the King's hearing, and so ordered him to be Committed to the Tower. Northampton and Rochester had prepared the business so, that Sir William Wade was removed from being Lieutenant of the Tower, and Sir Jervis Elvis, a Gentleman wholly depending upon them, was made Lieutenant of it.

Upon Sir Thomas his Commitment, Sir Jervis Elvis, by Order from Northampton and Rochester, confine him close Prisoner, so that Sir Thomas his Father was not permitted to visit him, nor any of his Servants, though one desired he might be confined with his Master: The Countess, that she might not be behind-hand with Rochester and Northampton, had consulted with Mrs. Turner for a fit Instrument to practice what was designed upon Sir Thomas: Mrs. Turner's Husband was an Apothecary, and had a Servant named Richard Weston, who since her Husband's death was become very poor, this Man was agreed by the Countess and Mrs. Turner to be under-keeper to Sir Thomas, and had a Promise of 200l. Reward, when Sir Thomas should be dispatched.

and that he might with more secrecy work his design, the Lieutenant had Orders from *Northampton* and *Rocheſter*, that no Man else ſhould come at Sir *Thomas*, and *Turner* only to wait upon him at Table, and to give Order for his Diet and Drinks.

Sir *Thomas* thus mew'd up, and excluded from the ſight of his neareſt Relations and Servants, upon the 9th of *May* was begun the practice of poisoning Sir *Thomas*, in his Broth which *Weſton* brought him, and this was continued with many varieties of poisoning, till the 14th. of *September*, when by a Glyſter (for which the Adminiſter had 20*l.* Reward,) he was diſpatched ; but the Malice againſt Sir *Thomas* did not end with his death, for the Blains and Bliſters which the poiſon had cauſed upon his Body, were interpreted to be the Effects of the *French-Pox*, and his Body was irreverently buried in a pit digged in a very mean place.

Here we may ſee, the unhappy fate of Princes above other Men, who neglecting their Duty, give themſelves up to be governed by Minions and Favourites ; for private Men are accountable only for their own Actions, whereas Princes are accountable to God and Fame, for all the ill Actions of their Miniſters, and how many ways was the King's Name uſed and abuſed in perpetrating this black and horrid Murder : Firſt, in getting the King to ſend Sir *Thomas* on the Ambaſſage to *Ruſſia*. Secondly, in Committing him to the Tower for reſuſal. Thirdly, in keeping him cloſe Priſoner there, which was a practice never known before that for a Contempt, any Man ſhould be cloſe confined from all his Relations and Servants, and 'twas a greater Villany to practice Sir *Thomas* his death, while he

was the King's Prisoner, than if he had been at Large, as being more immediately under the King's protection.

These Considerations little affected the Court, and Sir *Thomas Overbury's* destruction went but half way towards the designed Marriage, between *Rochester* and the Countess of *Essex*; but a Commission of *Delegates* under the Broad Seal, is issued out to the Archbishop of *Canterbury*, Dr. *Abbot*, the Bishops of *London*, *Winchester*, *Ely*, *Litchfield* and *Coventry*, and *Rochester*, Sir *Julius Caesar*, Sir *Thomas Parrey*, Sir *Daniel Dunne*, Sir *John Bennet*, *Francis James* and *Thomas Edwards*, Doctors of the Civil Law, at the Suit of the Countess for a Divorce from the Earl of *Essex*.

Here you may see the Ascendant *Rochester* and *Northampton* had over the King not only in getting this Commission, wherein the King's Name and Authority was abused, but they procured the King in the hearing of the Countess's Cause to be her Advocate, in answering the Objections which the Arch-Bishop made against the Divorce; so as this Matter was managed, the Bishops of *Winchester*, Dr. *Bilson*, of *Ely*, Dr. *Andrews*, and of *Litchfield* and *Coventry*, *Rochester*, with Sir *Julius Caesar*, Sir *Thomas Parrey* and Sir *Daniel Dunne*, were for the Divorce, and that the Countess was *Virgo non vitata*, and that there was frigidity in the Earl, and the Marriage a Nullity; and Decreed the Earl to repay the Countess her Portion; but the Archbishop, the Bishop of *London*, and *Bennet*, *James* and *Edwards* Doctors of the Civil-Law were against it.

Thus

Thus far was the King's Name and Authority abused, in the attaining the Murder of Sir *Thomas Overbury*, and the designed Marriage between *Rochester*, and the Countess of *Essex*, for *Overbury*, being dead, and the Divorce obtained, the Countess must not lose the Title by this Marriage, and therefore upon the 4th. of *November*, *Rochester* is created Earl of *Sommerſet*.

All things are now prepared for the hopeful Marriage, and that the Solemnity at the ending of it, might out-vye that with the *Palſgrave*, and the Lady *Elizabeth*, upon the 6th of *December*, the Earl and Countess were married at *White-hall*, in the presence of the King and Queen, Prince, and a great Confluence of the Bishops and Temporal Nobility; the Bishop of *Bath and Wells* married them, and Dr. *Mountaine* (Dean of *Westminster*) preached the Nuptial Sermon, and that night there was a gallant Masque of Lords; But upon the *Wednesday* following, the 29th. there was another of the Prince's Gentlemen which quite out-did this, and pleased the King so well, that he caused it to be Acted again upon the *Munday* following, being the 3d. of *January*.

But *White-hall* was too narrow to contain the Triumphs for this Marriage, they must be extended into the City and upon the 4th. of *January*, the Bride and Bridegroom, accompanied with the Duke of *Lenox*, my Lord Privy-Seal, (*Northampton*) the Lord Chamberlain, the Earls of *Worcester*, *Pembroke* and *Montgomery*, with a numerous Train of Nobility and Gentry, were invited to a Treat in the City at *Merchant-Taylor's Hall*, where my Lord Mayor and Aldermen entertained them in their Scarlet

Gowns: At their Entry they were accosted by a gratulatory Speech and Musick, the Feast (which was most sumptuous) serv'd by the choicest Citizens, selected out of the 12 Companies, in their Gowns and rich Foincs: After Supper they were Entertained with a *Wassail*, two pleasant Masques, a Play and Dancing; and after all, the Bride and Bride-groom, with all this *Noble Crew*, were invited to a Princely Banquet, and at 3 in the Morning the Bride and Bridegroom returned to *White-hall*: And before this Surfeit of pleasure and Excess was well digested, the Gentlemen of *Grays-Inn*, upon *Twelfth-Day*, invited the Bride and Bridegroom to a Masque; Thus these Gayeties though they out-lived the Year, yet ended in the Holidays of *Christmas*, as they began with them, being the next Day after *Christmas*: But before the end of this Year, these Joys shall turn sharp and sower.

This Year 1614. as it was the Meridian of the King's reign in *England*, so was it of his Pleasures; the King was excessively addicted to Hunting and Drinking, not ordinary *French* and *Spanish* Wines, but strong *Greek* Wines; and tho' he would divide his Hunting from drinking these Wines, yet he would compound his Hunting with Drinking these Wines; and to that purpose he was attended with a special Officer, who was as much as could be always at hand, to fill the King's Cup in his Hunting, when he called for it. I have heard my Father say, That being hunting with the King, after the King had drank of the Wine, he also drank of it, and tho he was young, and of an healthful Constitution, it so disordered his head, that it spoiled his pleasure, and disordered him
for

for three days after. Whether it were the drinking these Wines, or from some other Cause, the King became so lazy and unweildy, that he was *trist on Horse-back*, and as he was set so would he ride, without otherwise poising himself on his saddle: Nay, when his Hat was set on his head, he would not take the pains to alter it, but it fate, as it was put on.

And as he thus gave himself up to pleasure, so did he to Favourites and Flatterers, and he scarce heard any thing without the prelude of *Sacred, Peaceful, Wise, most Learned, &c.* These made him careless both of his Domestick and Foreign Affairs, the Thoughts of which disturb'd his pleasures; and if at any time he were thoughtful, or pensive, his Favourites made it their business to Mimick or Ridicule those things, especially the *Puritans*, which the King hated.

These Courses, and the King's Favourites perpetually sucking his Treasures, brought the King to great Necessities, yet he had not Courage enough to demand the Debt due to him from the *States of Holland*, neither Principle nor Interest; so that after five Years interval a Parliament is agreed to be called, to supply the King's Occasions, and the principal cause to excite the Parliament to give Money, was for the Portion the King had paid for marrying the Princess *Elizabeth* to the *Palgrave*, and for his Entertainment whilst he was in *England*, tho' the King had collected Aid-money all over *England* before.

But it rarely happens, when Grievances be multiplied, and the Kings become necessitous, that they the King and Parliament attain their Ends;

the Ends being so different, the Parliaments being to redress Grievances, and the Kings to get Money ; and so it fell out in this Parliament, for entering upon Grievances, and remonstrating them to the King, which was Language he was not acquainted with, he in great passion dissolves the Parliament, and Commits many of the principal Members of the Commons close Prisoners, without *Bail* or *Man-prize* ; and tho' no Law was passed this Parliament, nor any notice had of it in the Statutes printed at large ; yet this benefit came of it, That the Commons voting *Cockaine's Patent for Dressing and Dying English Cloths* to be a Monopoly and Grievance, it was re-called and Cancelled, and the vent of *White Cloths* left free.

This was the greatest Violation and Invasion of the Privilege of Parliament, that ever was done by any King of *England* before ; but tho' it began, it did not end here, neither in this King's Reign, nor in his Son's after him.

CHAP.

CHAP. III.

*A further Account of this Reign, to the end
of the Third Parliament, in 1620.*

IF from the Parliament we look into the Court, we shall see the King's Affections begin to alter towards his Favourites, which began upon this occasion: My Lord of *Northampton* was Lord Warden of the Cinque-Ports, and by his permission, *Romish* Priests in great numbers swarmed into *England*; this was observed, and great Clamours were made upon it, which came to the Earl's ears; hereupon the Earl exhibits an Information against some of them; these justify the truth of what they were accused of; the Archbishop *Abbot*, at the same time, produces a Letter from the Earl to Cardinal *Belarmine*, wherein he says, *That however the Condition of the Times compelled him, and the King urged him to turn Protestant, yet nevertheless his heart stood for the Catholics, and that he would be ready to further them in any Attempt.* This procured the King's frowns, and the Prisoners discharge; whereupon 'twas said *Northampton* took such grief, that he made his Will, wherein he declared *He died in the same Faith wherein he was Baptized, (viz. the Popish)* and died the 15th. of June: Now was *Sommerſet* left without his chiefest support, and soon after another shall rise up, which shall turn him quite out of the King's Favour.

About

About this time one Mr. *George Villiers* appeared in Court, the youngest Son of Sir *George Villiers*, of *Leicestershire*, by a second Venter, whose Name was *Mary Beaumont*, the Heraulds will tell you she was of the honourable Family of the *Beaumonts*; and I will tell you what a Lady of Quality told me, and one who might well know the truth of what she said, her youngest Sister by a second venter being married to the Eldest Son of Sir *George Villiers*, by *Beaumont*.

Mary Beaumont was entertained in Sir *George Villiers* his Family, in a mean Office of the Kitchen; but her ragged Habit could not shade the beautiful and excellent frame of her Person, which Sir *George* taking notice of, prevailed with his Lady to remove *Mary* out of the Kitchen into an Office in her Chamber, which with some importunity on Sir *George's* part, and unwillingness of my Lady, at last was done.

Soon after my Lady died; and Sir *George* became very sweet upon his Lady's Woman, which would not admit of any Relief without Enjoyment; and the more to win *Mary* to it, gave her 20*l.* to put her self into so good a Dress as this would procure, which she did, and then Sir *George's* Affections became so fired, that to allay them he married her.

In this Coverture Sir *George* had Three Sons, *John* after Viscount *Purbeck*, *Christopher* after Earl of *Anglesey*, and *George*, and one Daughter after Married to the Earl of *Denbigh*: When Sir *George* dyed, *George* was very young, and Sir *George* having settled his Estate upon the Children born of his former Lady, could leave the Issue by his
Widow

Widow but very little, and her but a Joynture of about 200 *l* per *Ann.* which dying with her, nothing could come to these Children ; nor was it possible for her, out of so contracted a Joynture to Maintain her self and them, so as to make scarce any Provision for them after her Death ; and the Duke of Sir George by his former Lady, both envied and hated her, so as little could be expected from them.

To supply these defects, the Married one *Thomas Compton* a Rich Country Grazier, whereby he became able to maintain and breed up her Children in a better than ordinary Education, and *George* being of an extraordinary and exact Composition of Person, was sent abroad, and in *France* acquired those outward advantages, which more Adorned the Natural Parts, which Nature had given him.

The King this Year, about the beginning of *March 1611*, according to his usual methods, went to take his Hunting Pleasures at *New-market*, and the Schollars (as they called them) of *Cambridge* who knew the Kings humour, Invited him to a Play called *Ignoramus*, to ridicule (at least the practice) of the Common Law: Never did any thing so hit the Kings Humour, as this Play did ; so that he would have it Acted and Acted again ; which was increased with several Additions ; which yet more pleased the King.

At this Play it was so contrived, that *George Villiers* should appear with all the advantages his Mother could set him forth ; and the King so soon as he had seen him, fell into admiration of him, so as he became confounded between his Admiration

miration of *Villiers* and the pleasure of the Play, which, the King did not conceal, but gave both Vent upon several occasions. This set the Heads of the Courtiers at work how to get *Somerſet* out of Favour, and to bring *Villiers* in; but here its fit to look a little back and ſee the occaſion *Somerſet* gave of *Villiers* Riſe, and of his own fall.

Somerſet was of mean and ſcarce known Parents and as he was Endued with no Natural Parts, neither had he acquired any, being brought up and bred a Page at Court, hereby he became as little capable of demeaning himſelf in Proſperity and Adverſity. After Sir *Thomas Overbury's* confinement he gave himſelf up wholly to be Governed by *Northampton*; and ſoon after his Marriage he fell into an Univerſal Solitarineſs and Sadneſs, ſo that it was much taken notice of, which *Northampton* observing, and judging not unlikely that the cauſe of *Somerſet* did ariſe from his fears of the diſcovery of *Overbury's* Death, wherein they were both deeply engaged, which if it ſhould come to paſs they had no other means to ſecure themſelves but by making themſelves ſo Great, as to oppoſe all who ſhould charge them with it, or elſe by being Catholicks, they might draw all that Party to aſſiſt them, and in theſe they both agreed; and to make matters more perplexed, *Northampton*, by one *Hamon* did encourage the *Iriſh* to continue firm in their Religion, aſſuring them that God would one way or other Protect his Church, and that now the greateſt Favourite in *England* would ſtand firm to them, and alſo gave encouragement to the *Papiſts* in the *North* to meet openly at *Malton*

and fomented the Feuds between the *English* and *Scots*; the *English* murmuring at the King's Favour more to the *Scots* than them. If I have erred herein, the Writer of the Historical Narration of the first Fourteen Years of King *James's* reign, cap. 30. lead me into it: This sullen humour of *Somersets* little suited with the Kings liking, being before better pleased with *Somersets* flattery, in humouring him in all his Pleasures.

After *Northampton's* death, he was left alone to himself, and all *Northampton's* designs dyed with him; and then *Somerset* having forsaken all Men, and being forsaken by them, appeared in his own nature without any disguise, wretchedly Penurious and Intolerably Covetous: There was no coming at the Kings Ear but by him, nor any coming at him but by excessive Bribes; and as the King began to loath him, so all Men detested and hated him: So it was every bodies business to court *Somerset* and bring Young *Villiers* into the King's favour.

All the Court took notice of the King's affection to young *Villiers*, and the Queen observed *Somerset* and *Villiers* not to be wanting to himself day: *Somerset* appeared at Court: There was but one obstacle to be removed, and the way was plain and easy for *Villiers* to be the Kings Favourite; the King would receive none into Favour, but who was first recommended to him by the Queen, and the Queen had observed something in young *Villiers* which she utterly disliked, and how to get the Queen to recommend young *Villiers* to the King was the only business to be done.

The

The Queen (a Princess of rare Piety, Prudence, Temperance and Chastity) had a great Veneration for the Arch-Bishop of Canterbury Abbot, and the Arch-Bishop as much an aversion to *Somerſet* not only for his Marriage with the Countess of *Esſex*, but for his other detestable Qualities, that the Arch-Bishop was the only Instrument which was Judged, could move the Queen to commend young *Villiers* to the King.

It was no great difficulty to persuade the Arch-Bishop to undertake this business, being of himself disposed to it; but when he propounded it to the Queen she was utterly averſe from it, having before been stung with Favourites, but by her observation of *Villiers*, she told the Arch-Bishop that in young *Villiers*, that if he became a Favourite he would become more Intollerable then any that were before him.

Hereupon the Arch-Bishop declined the business, but *Somerſet* declining daily from bad to worse, the Arch-Bishop was again prevailed upon to move the Queen to recommend young *Villiers* to the King, which he did with more Importunity then before, urging *Somerſet*'s intollerable Pride and Covetouſneſs, and that he observed a good Nature and gentle Diſpoſition in *Villiers*; that some good might be hoped from him, which could never be expected from the other, at last the Queen assented to it, but withal told the Arch-Bishop he among the rest would live to repent it.

After *Villiers* was recommended by the Queen it became out of her power, and the power of the Kingdom to get him out of the Kings Favour or his Sons after him, and the Arch-Bishop him-

self shall find the Queen to have been a true Prophetess ; however at first *Villiers* acknowledg'd his Favour with the King to have its Original from the Arch-Bishop, called him Father, and protested to be Governed by him before all other Men ; and the Arch-Bishop gave him some Lessons to observe towards the King and Queen, which *Villiers* repeated to him, and promised to observe, which you may read at Large in the first Part of Mr. *Rushworths* Collections in the Second Year of King *Charles* the First, written by the Arch-Bishop.

In the beginning of Mr. *Villiers* coming into Favour he was Affable and Courteous, and seem'd to Court all Men as they Courted him, he promoted Mens Suits to the King *gratis*, which *Somerfet* would not do, but for great Sums of Mony, and hereby *Villiers* stole all the Hearts of the Courtiers and Petitioners to the King from *Somerfet*, who was now wholly forsaken by God and all Men.

Somerfet thus forsaken of all Men, and stung in Conscience for the Death of *Overbury*, and finding a Rival in the Kings Favour, seeks by that small portion which he had left, to procure a General Pardon from the King to secure him in his Life and Estate, (which was far the greatest of any Subject in the Kings Dominions) and to that purpose, applies himself to Sir *Robert Cotton* to draw one, as Large and General as could be, which Sir *Robert* did, wherein the King should declare, That of his own Motion, and special Favour, he did Pardon all, and all manner of Treasons, Misprisions of Treasons, Murders, Felonies, Outrages whatsoever, by the Earl
of

of Somerset had been Committed or hereafter should be Committed, and this Pardon the King Signified.

But Somerset grasping at too much, lost all, for my Lord Chancellor Egerton refused to Seal the Pardon, Somerset asked him the Reason, which the Chancellor told him was, because if he did it, he should incur a *Premunire*; and this the Chancellor told the King, who was not displeased with it: So that now all hopes of Pardon for Sir Thomas Overbury's Murther failing, he had recourse to other Artifices, of suppressing all Letters which passed between him, the Countess, and Northampton either to Sir Thomas, the Lieutenant, or any of the Poysoners, and to make away Franklin the Apothecary, who was fled into France, and had given Sir Thomas the Glistre which dispatcht him, that which Somerset design'd for his preservation, 'twas thought, proved his overthrow, but this was the Product of next Year 1615. being the 13th of the King.

Tho' Villiers had the Ascendant of the King's Favour farr transcending all other Favourites, yet the Kings necessities were never so great, and the Exchequer so poor, and the King so much in debt, so as he had so much less means to gratify his new Favourite as his affections to him were more, and here it will not be amiss to take some part of a view of the King's prodigality (or if you please of his bounty) to some of his former Favourites; the Earl of Somerset had Amassed (if my Author of the *Historical Narration of the first 14 Years of King James* cap. 34. says true) in Money, Plate and Jewels two hundred Thousand Pounds, besides 19000

per Ann. The Earl of *Salisbury* (but a younger Son of Treasurer *Burleigh*) left an Estate, besides the noble House and Seat of *Hatfield*, equal, nay superiour to most of the other Nobility ; the Earl of *Northampton* (a younger Brother of the Duke of *Norfolk*, and born to little or no Estate, built that noble Structure in the *Strand*, now called *Northumberland-house*, and being unmarried, left a very great Estate to the Earl of *Arundel*, and others of his House ; the Earl of *Suffolk* (youngest Son of the Duke of *Norfolk*, who had no Estate, but what he derived from the Crown) besides his other Estates, built *Audley-Inn* Palace, the noblest Structure ever built by any Subject in *England*, except *Hampton-Court* by Cardinal *Woolsey*, which by reasonable Estimates cost above 190000 *l.* besides the Largeſes given to the Duke of *Lenox*, Sir *Alexander Hays*, and other *Scottish* Favourites, Sir *Henry Rich*, and other *Eng-ſh* Favourites.

These had only themselves to take care for, but his new Favourite had a Mother, two Brothers, and a Sister, to pull up into Honours and Estates, tho' their parts could not entitle them to any other than Court preferment ; but besides these, I do not find he regarded any other of his Father's Family, no more than they did him : However untill the Discovery of *Overbury's* Murder, he contained himself within the bounds of Modesty, as well as Courtship ; *Somerſet*, till then, being a kind of Check upon him. However the King, in his Poverty of Affairs, gave him 1000 *l.* and upon the 23d. of *April*, made him one of the Gentlemen of his Bed-Chamber, and next day knighted him.

Sir Thomas Overbury's Murder had been about twenty Months concealed, when about the middle of *August* it was brought to light, but the manner how was variously rumoured: Some talked that Sir Thomas his Servant gave notice of it to Sir Edward Coke; others, that my Lord of Canterbury had got knowledge of it, and made it known to Sir Ralph Winwood, one of the Secretaries of State, and that by searching in a certain place he should find a Trunk wherein were Papers, which would disclose the whole business, which Sir Ralph did, and found it so.

The King at this time was gone to hunt at *Royston* and *Sommerfet* with him, and when the King had been there about a Week, next day he designed to proceed to *New-Market*, and *Sommerfet* to return to *London*; when Sir Ralph came to *Royston*, and acquainted the King, with what he had discovered about Sir Thomas Overbury's Murder, the King was so surprized herewith, that he posted away a Messenger to Sir Edward Coke to apprehend the Earl. I speak this with Confidence, because I had it from one of Sir Edward's Sons.

Sir Edward lay then at the *Temple*, and measured out his time at regular hours, two whereof were to go to bed at Nine a Clock, and in the Morning to rise at Three; At this time Sir Edward's Son, and some others were in Sir Edward's Lodging, but not in bed, when the Messenger about One in the Morning knockt at the door, where the Son met him, and knew him: Says he, I come from the King, and must immediately speak with your Father: you come from ten Kings, he answered, you shall not for I know my Father's Disposition to be such that if

be disturbed in his Sleep, he will not be fit for any business; but if you will do as we doe, you shall be welcome, and about two hours hence my Father will rise, and you then may do as you please, to which he assented.

At three Sir Edward rung a little Bell, to give notice to his Servant to come to him, and then the Messenger went to him, and gave him the King's Letter, and Sir Edward immediately made a Warrant to Apprehend Sommerfet, and sent to the King that he would wait upon him that day.

The Messenger went back Post to Royston, and arrived there about Ten in the Morning; the King had a loathsome way of Lolling his Arms about his Favourites Necks, and killing them, and in this posture the Messenger found the King with Sommerfet, saying. *When shall I see thee again? Sommerfet*, then designing for London, when he was Arrested by Sir Edward's Warrant: *Sommerfet* exclaimed that never such an Affront was offered to a Peer of England in the presence of the King: *Nay Man*, said the King, if Coke sends for me I must go; and when he was gone, *Now the Deel go with thee*, said the King, *for I will never see thy face any more.*

About three in the Afternoon the Chief Justice came to Royston, and so soon as he had seen the King, the King told him, that he was acquainted with the most wicked Murder by *Sommerfet*, and his Wife, that was ever perpetrated, upon Sir Thomas Overbury, and that they had made him a Pimp to carry on their Bawdry and Murder; and therefore commanded the Chief Justice, with all the scrutiny possible, to search into the bottom of the Conspiracy, and to spare no Man how great soever, concluding, *Gods Curse be upon you and yours, if*

You spare any of them; and God's Curse be upon me and mine, if I pardon any one of them.

The Chief Justice, as well as by his place, as the King's Command, imprisons *Weston*, *Mrs. Turner*, *Sir Jervis Elvis*, *Francklin*, and *Sir John Munson*, and examines them? and also *Simon Mason*, *Munson's* servant, *Paul de la Bell*, *Weston's* servant, &c. against them: Whereupon they were all, except *Munson*, Arraigned, Condemned and Executed in the Months of *October* and *November* following, all of them, I say, except *Munson* whom (Justice *Dandridge* and Justice *Hide*, as well as the Chief Justice) declared to be as Guilty of the Murder, as any of the other. You may read the Tryals at large, in the *Narrative* of the first 14 Years of King *James* his Reign, Entituled, *Truth brought to light by time.*

There was a general Rumour, that the Chief Justice making a severe Inspection into *Overbury's* Murder, found some Papers about the poisoning of Prince *Henry*, and *Sir Anthony Weldon* in his History Of the Reign of King *James*, says, That the Chief Justice had blabb'd abroad so much: I am sure there was never any such Acquaintance between the Chief Justice and him, that he should blab it out to *Weldon*; whether this were true or false I cannot tell, but sure the displacing *Sir Edward Coke* the next year, gave Reputation to these Rumours; and here we end this Year 1615, being the 13th Year of King *James* his Reign.

Though *Turner*, *Weston*, *Elvis* and *Francklin* were Convicted and hanged last year for the poisoning of *Sir Thomas Overbury*, yet the Tryal of the Earl of *Sommerset*, and the Countess, was put off till the 24th. of *May* this year; yet the Earl being a Prisoner.

soner, and utterly cast out of the King's Favour, the young Favourite *Villiers*, having now no Competitor, rose as fast upon the Earl's ruine, as he fell; and began to appear in his own colours. from being Sir *George*, and of the Bed-chamber to the King, in the beginning of the Month of *January*, he is made Master of the Horse; and upon the Conviction of the Earl and Countess, the King seized upon the huge Estate of the Earl, only allowing him 4000 *l. per Ann.* during his life (as was said) for the King Reprieved the Earl and Countess too, not only from Death, but Imprisonment, and the Earl 24 Years after saw his Daughter married to the now Earl of *Bedford*, who proved to be the Mother of many Children, whereof my Lord *Russel*, cut off by King *Charles* the 2d. was one, and a Lady of great Honour and Virtue.

The seizing of *Somerset's* Estate, at present, afforded a plentiful Harvest to our young Favourite, and that proportionable Honours (which were no burden to him) might attend him, upon the 17th. of *August* he is created Viscount *Villiers*, and Baron of *Whaddon*. We will stay a little here, and look abroad, and see what Dishonour the King, by his Prodigality to his Favourites, and his ill Terms with his Subjects, brought upon himself.

This Year, seven of the twelve Years Truce made between the King of *Spain*, the Arch-Dukes, and the *Dutch States*, in 1609, were worn out, and now the *Dutch* hugely swelled their Trades, not only in *Europe* and *Africa*, but in the *East Indies*, and to *Turkey*; but they could never be truly esteemed High and Mighty, so long as the *English* possess the *Brill*, *Rammekins* and *Flushing*, which were the Keys of

of their Country, and opened the Passages into, and out of the *Maze, Rhine* and *Scheld*: They could not now pretend Poverty, as they did to Queen *Elizabeth*, for not payment of the Money, with Interest upon Interest at Ten *per Cent.* which being two Millions, when upon the Account stated between the Queen and them, due *Ann. 1598*, besides the Payment of the *English* in Garrison in the Cautionary Towns, This Year did amount to above 6 Millions of Money, and how to get rid of this Debt, and get the *English* out of the Cautionary-Towns, was the Design of *Barnvelt*, and the *States*.

Barnvelt had his Eyes in every corner of the Court, he observed the King was wholly intent upon his pleasures, exalting his Favourites, and writing against *Bellarmino* and *Peron*, against their King-killing and Deposing-Doctrines, and otherwise utterly neglected his Affairs both at Home and Abroad; and by how much longer the King continued these Courses, so much better might the *States* make a Bargain with him, about restoring their Cautionary-Towns, but not as Merchants, but Bankrupts. The Truce between the *Spaniards* and them was above half expired, and if the *English* should keep their Towns till the War broke out again, the King might impose what Terms he pleased upon them.

Barnvelt also observed the ill Terms which the King was upon with his Subjects, upon the Dissolution of the last Parliament, about 14 Months before, and imprisoning the Members for representing the Subjects Grievances, which the King made worse by a Proclamation, forbidding Men to talk of *State Affairs*; and that he doted upon, and

was wholly governed by the Viscount *Villiers*, a raw and unexperienced Gentleman in *State Affairs*, scarce of Age : Upon these Considerations *Barnvelt* advised the *States* not to pay the *English* in Garrison in their Cautionary-Towns, though this was expressly contrary to the Agreement they made with Queen *Elizabeth* in 1598.

The *English* debarred of their Pay, apply themselves to the King for relief; the King was incensed at the *Dutch*, and talked high what he would do; but upon repose he advised what to do, the Lord Treasurer *Suffolk* told him there was no Money in the Exchequer; to call a Parliament would be a work of time, and in the mean while, the Soldiers in Garrison in the Cautionary-Towns, must either starve, or Revolt; besides the Wounds, which the imprisoned Members had were so green, that the Parliament, in all likelihood, would rather seek to cure them, than supply the King's Necessities; and starve or revolt the Soldiers might, rather than the King would abate any thing of his Bounty to his Favourites.

Hereupon it was agreed, That the King should enter into a Treaty with the *Dutch*, concerning the Delivery of their Cautionary Towns; the *Dutch* expected it, and had given Orders to their Ambassador here (called the Lord *Caroon*) to treat about it, and what they would give, the King must take; and *Caroon's* Instructions were to give Four hundred and twenty eight thousand Pounds in full satisfaction of the whole Debt, which was scarce Eighteen pence in the Pound, but was greedily accepted of by the King and his Favourites: But how well this Agreement did sort with the Treaty

made with the King of Spain and Arch-Dukes, in August 1604, where, in the 7th. Article, the King swears and promises in the Word of a King, *That in a competent time, he would Assign a Treaty with the Dutch States, to accept and receive Conditions agreeable to Justice and Equity, for a Pacification to be had with the renowned Princes, his dear Brethren ; which if the States shall refuse to accept, his Majesty from thence forward, as being freed from former Conventions, will determine of those Towns according as he shall judge it to be Just and Honourable, wherein the said Princes, his loving Brethren, shall find there shall be no want of those good Offices, which can be expected from a friendly Prince. Let the World judge.*

Though the Bargain were agreed, yet the King and Courtiers were in fear the Money should not be paid accordingly ; and therefore the King wrote to the States, in a stile far differing from that he used to the Parliament, for says mine Author, *William de Britain, fol. 12. the King told them, He knew the States of Holland to be his good Friends and Confederates, both in Point of Religion and Policy (One as true as the other, for the Religion of the Dutch was Presbytery, which the King hated, nor did he ever imitate their Policy) therefore he apprehended not the least fear of Difference between them ; In contemplation whereof, if they would have their Towns again, he would willingly surrender them.*

So though the Dutch got their Towns again, yet the King got not all the Money, for my Lord Treasurer Suffolk kept back so much of it, as he was fined 30000 £ . in the Star-Chamber for it, and had not escaped so, if Sir Francis Bacon, then Lord Chancellor, had not been his friend.

After

After the Sale of the Towns was agreed on, the next Debate was, What should become of the Soldiers in Garrison? But let them look to that, for the King being *Rex Pacificus*, had no need of them, they might go where they pleased; all the care the Favourites had, was how to share the Money among themselves.

The dishonourable Delivery of the *Dutch Towns*, made no allay in his Affections to his new Favourite, though wholly unacquainted with *State Affairs*, and was as much given up to the pleasures of *Venus*, as the King was to those of *Bacchus*; neither the Sale of the *Dutch Towns*, nor the seizing *Commerſet's* Estate, would answer the Expence of his Pleasures and Bounty; the disposing of all Places and Offices Ecclesiastical and Civil, all waved as he nodded; and herein his Venality was as profuse as his Venerly.

One of the first that felt the Effects of his power herein, was Sir *Edward Coke*, who, at this time, sat very loose and uneasy; he had highly disgusted the Court, and high Church-party, in opposing Archbishop *Bancroft's* Articles against granting *Prohibitions* at *Common-Law*. He opposed my Lord Chancellor *Egerton*, taking notice of a Cause in the *Kings-Bench*, after Judgment given, contrary to the Act 4 Hen. 4. 23. and refused to give any Opinion in the Case of *Commendums*, being not a Judge before it came judicially before him: And however my Lord Chancellor *Egerton*, upon the swearing Sir *Henry Mountague*, when he succeeded Sir *Edward Coke* in the Office of Chief Justice, declared Sir *Edward's* deposing, was for being so popular; yet I have it from one of Sir *Edward's* Sons, that the Cause of his removal was, That

That Sir *Nicholas Tufton* being very Aged, and having a Patent for Life, of the *Green-wax* Office in the *Kings-Bench*, the Viscount *Villiers*, by his Agents dealt with Sir *Nicholas*, That if he would surrender his Patent, the King would make him Earl of *Thanet*; and, in the mean time, Sir *Francis Bacon* treated with Sir *Edward*, to know whether in Case Sir *Nicholas* surrendred his Patent, the Viscount should prefer another to the Office, Sir *Edward* would give Sir *Francis* no other Answer than this *That he was Old, and could not wrestle with my Lord*. However after Sir *Nicholas* had surrendred, Sir *Edward* refused to admit of a Clerk by *Villiers's* Nomination, but stood upon his Right; and that the Judges of the *Kings-Bench* served the King to their Loss, and therefore he would so dispose of the Office, that the other Judges of the *Kings-Bench's* Salaries should be advanced; and that hereupon he was turned out of his place, and Sir *Henry Montague* left in, who disposed the Office as the Favourite pleased: But though the Favourite's displeasure began here with Sir *Edward*, it did not end so, nor the Titles of our new Favourite, for upon the 5th of *January* following he was created Earl of *Buckingham*; however Sir *Edward* might have been restored again to the place of Chief Justice, if he would have given a Bribe, but he answered, *A Judge ought not to take a Bribe, nor give a Bribe*. See the second part of the Bishop of *Lincoln's* Life, fol. 120. tit. 116.

We begin this Year 1617 (after the King had created the Earl, Marquess of *Buckingham*, on the first of *January*) with the story of Sir *Walter Raleigh's* Voyage to *Guiana*, which was the cause of his death, though

who' upon another Score, being Condemned in the first year of the King for High Treason, in *Cobham's* Conspiracy, for endeavouring to have hindered the King's coming to the Crown : But before we proceed wee'll stay a little and take a view of him.

Sir *Walter* was of an Ancient Family, but a younger Brother, and as he was a Person of admirable Parts, excellently adorned with Learning, not Pedantick, but of a nobler strein, so he had a Mind far above his Fortune, and accounted Poverty the greatest of Misfortunes ; and to advance his Fortune he became a Courtier to Queen *Elizabeth*, who was as great a Discerner of Men, and their Qualities, as any Prince in her time, or perhaps before, or since ; and as such, and not as imposed by Favourites, she esteemed and preferred them ; and upon this account she entertained and favoured Sir *Walter*.

The Queen made him Captain of her Guards, Lieutenant General of *Cornwall*, and Lord Warden of the *Stanneries* ; but these were rather Honorary Titles, then much profitable ; and being at Enmity with the Earl of *Essex* (the Queen's greatest Favourite) and the whole Family of the *Cecils*, (who governed all in State Affairs) these put a full stop to Sir *Walter's* further Rise at Court.

Sir *Walter* this baulkt at Court, seeks Adventures abroad to raise his Fortunes thence, and the Wars continuing between the Queen, and the King of *Spain*, in the Year 1595, he mans out a Ship to *Guyana* in the *West-Indies*, and by the Intelligence which he had with some of the *Indians*, and some *Spanish* Prisoners which he had taken, believed he had

had made a Discovery of several rich Mines, and had certain Marks, whereby to discover them again if occasion should happen.

But if he got nothing else by his Voyage, he got this advantage by it, that adding Experience to his excellent Theory in Navigation, he justly merited the applause of the best Director of Sea-Affairs of his time.

After Queen *Elizabeth's* death, he was kept 12 Years a Prisoner in the Tower, where he compiled his History of the World, a Design so vast, that no other Man of less parts both of Body and Mind could have accomplished: And while he was thus confined, he was the first which made publick the Growth by Sea of the *Dutch*, and the Riches they derived by their Fishing upon the Coasts of *England* and *Scotland*, and the Consequences which would necessarily follow, not only to the loss of the King's Sovereignty of the *British* Seas, but to the Trade and Navigation of *England* otherwise: After that, one *Tobias Gentleman*, set forth another Treatise of this nature, and how this Fishery might be carried on from the Ports of *England*, and Dedicated it to the King; but the King wholly giving himself up to pleasure, neither minded the one, nor regarded the other.

Sir *Walter* had been discharged out of the Tower about two Years and an half before, but by what means, I do not find, and then Poverty stared him in the face, (for *Sommerfet* had begg'd his Estate) which to him was more intollerable than his Imprisonment, and how to extricate himself out of it was all his business: There was a new face of Court to what was in Queen *Elizabeth's* Days, and Sir *Walter* unknown to any of them

them: His being freed out of Prison, was such a
 favour as any further was not to be hoped for :
 Happie had Sir *Walter* been if he had been still
 confined, where in the restraint of his Person he
 enlarged the Faculties of his Mind to nobler Plea-
 sures, than can be found in sensuallity, or any
 temporal greatness ; where by his freedom per-
 suing these, besides other concomitant Calamities,
 he brought destruction upon himself, having seen
 his Son *Walter* slain, in the Design he intended to
 raise his Fortunes by.

Tho' the King was never poorer then at this
 time, yet the Nation was far Richer, then in all
 the long Reign of Queen *Elizabeth*, by reason of
 the *English* Trade with *Spain*, made free by that
 Celebrated Law of the 3d. of the King. *cap. 6.*
 and at this time, and many years before, the King
 of *Spain* made Count *Gondamour* his Legeir Amba-
 sador in *England*, the Count would ape the King
 in all his Humours, but his Cupps ; and hereby
 became so Intimate with the King, that he dis-
 cover'd all his Designs, and the Secrets (if there
 were any) of the Court.

In this posture of Affairs, Sir *Walter* informs
 the King, that if he would grant him a Commis-
 sion, he would bring Mountains of Gold into the
 Kings Exchequer from *Guiana* ; the King, who
 had stop't his Ears to Sir *Walters* advice concern-
 ing the *Dutch* Fishery upon the Coasts of *England*
 and *Scotland*, opens them both to Sir *Walter's* Pro-
 spect, and grants him a Commission Directed,
Dilecto & fidei meo Waltero Raleigh Militi.

But this Commission ill agreed with the Treaty
 made between the King, and the most Renowned
 King

King of *Spain*, his dear and loving Brother in the 2d. Year of his Reign, wherein in the First Article it was agreed, That they should use one another with all kind and friendly Offices; and by this Treaty the *English* were restrain'd to their Trades in *Europe*: For the King of *Spain* was as Jealous of his *West-Indies*, as the Apple of his Eye, or the Pope is of his *Triple-Crown*, or the King of his *Prerogative*.

The Fame of Sir *Walter*, and the expectation of the Mountains of Gold, to be poured into the Exchequer by this Expectation, blazed it all abroad; so as *Gondamour* gave the King of *Spain* an account of it, and this became so much the more publick, by how much the King could not contribute any thing, but his Commission towards it; and tho' Sir *Walter's* Fame induced many Nobles and Gentlemen to joyn with him in it; yet this being distracted and divided into so many Interests, it went on more heavily, and became every day more known, so that tho' Sir *Walter* intended to have proceeded on his Voyage this Year, in the beginning of *April*, it was upward in *August* before he set out.

In his Passage a terrible Fever overtook Sir *Walter*, now the 76th. Year of his Age, which yet the strength of his Constitution overcame, to bring him to his End by a worse Fate: When he arrived at *Guyana*, he found all the Marks which he, and Sir *Nicholas Kemish* had made, either worn out by time, being Twenty Years before, or alter'd by the *Spaniards*, who had so long before had notice of his Design; so that *Kemish* and Sir *Walter* fell at such Odds about it, that *Kemish* kill'd

kill'd himself; besides the *Spaniards* to prevent *Raleigh's* design had built many new Fortifications, unknown to *Raleigh* or *Kemish*.

Hereupon Sir *Walter* Stormed the Town of *St. Thomas*, wherein he lost his Son *Walter*, but took the Town and Sackt it, and here the Soldiers took great Spoil, but with little profit to Sir *Walter*, or any of the Adventurers with him: For the Soldiers and Seamen, being Reformades, and being under no severe Discipline, kept what they had got.

Now was Sir *Walter* in a most desperate State, he had no Friends at Court, and which made the matter worse, he had digusted all the Nobles and Gentlemen, who had engag'd with him in this Expedition; he need not consult the Augurs, what should be his Fate upon his Return, to prevent which he endeavoured to have got into *France*, and carryed his Ship with him, but the Seamen, who now had his Fortune in contempt, would not forsake their Wives and Children, to partake with him in his Misfortunes, and so brought him back again into *England*.

It was resolved that Sir *Walter's* misfortunes should lose him his Head, but how to do it with a Face of Justice, was the Question; for his Commission Protected him from any Prosecution, for the Sacking of *Thomas*; and it would seem strange to Execute him upon the Conviction, in *Cobham's* Conspiracy Sixteen Years before, especially since the King had Discharged his Imprisonment upon it, and had granted him a Commission, wherein he called Sir *Walter* his beloved and faithful Sir *Walter*.

How-

However this was the best Face could be put upon it, and upon the 28th. of October next Year 1618. Sir *Walter* was brought from the *Tower* to the *Kings-Bench* to shew Cause why Sentence of Death should not pass upon him, *Mountague* being Chief Justice, upon his former Conviction to which Sir *Walter* Pleaded his Commission which Pardoned his Crime; For he could not be a Traitor and the Kings beloved and faithful Servant at one and the same time; but this was over-ruled by the Court, which Answered, That Treason could not be Pardoned by Implication, but by express words: And next day he had his Head Cut off in the Palace-Yard at *Westminster*.

In granting Sir *Walter Raleigh* this Commission you may see by what an undistinguished Power Covetousness governs the Actions of Princes, as well as meaner Men, against their Honour, and Interest; for at the same time when the King granted this Commission, he was by Sir *John Digby* (after Earl of *Bristol*) treating a Marriage between the Prince *Charles* and the Infanta of *Spain*, upon the Terms of a Portion of Two Millions of Money with her; but if this Act of *Raleighs*, and difficulty of raising such a Portion, put no stop to the Progress of it: You'll soon see an Accident, which shall make it utterly Impracticable, with the Maxims and Policy of *Spain*; yet so far was the King blinded with the Covetousness of getting the Portion, that he shall put his only Son into the Power of the *Spaniards*, to obtain it.

Tho' young *Villiers* and the Kings Favourites governed the King without any Controul by the English; *Conchine Conchini* an Italian, Marquis d'Ancre and

nd Marshal of *France*, and his Wife succeeded
 ot so well in *France*: For after the Death of
Henry the 4th. of *France*, these two Governed *Ma-*
d Medicis, *Henry's* Relict, and Regent, as abso-
 utely, as our young Favourite did the King, which
 ur the Princes of the Blood, and Nobility into
 uch a Ferment, that they several times rose in Tu-
 ults and Arms against them: Yet such was their
 ower with the Queen, that they continued as
 nsolent, after the King was declared of Majority,
 s before, whereupon the Feuds of the Princes of
 he Blood and Nobility grew higher; hereupon
 aynes, the Kings Favourite, prompted the King to
 ke of *Ancre* any way, which was so ordered, that
Ancre coming into the *Louvre*, and reading a
 etter, *Vitry* Captain of the Kings Guard, Arre-
 ed him, Me, said *Ancre*, yes you, by the
 Death of God, answered *Vitry*, who cryed out
 ill him, whereupon he was killed by three Pi-
 ol shot, the King owning the Fact. But *Ancre's*
 ate did not end with his Life, for next day after
 e was Buried, the Laquies of the Court, and
 abble of the City, dig'd up his Coffin, toar his
 Vinding-sheet, and drag'd his Body through the
 Gutters, and hang'd it upon the Gibbet he had
 prepared for others, where they cut off his Nose,
 ears and Genitors, which they sent to the Duke
 of *Main*, Head of the Popish League (the great
 favourite of the *Parisians*,) and Nailed his Ears
 o the Gates of *Paris*, and burned the rest of his
 Body, and hurl'd part of the Ashes into the River,
 nd part into the Air, and his Wife soon after was
 Condemned by the Parliament of *Paris* for a
 Witch, for which she was Beheaded.

In the Year 1618. a Blazon Commet appeared, and the Marquess of *Buckingham*, by the Removal of my Lord Admiral *Nottingham*, (who was so in the Famous overthrow of the *Spanish Armado* in 1688) was made Lord Admiral, being as well Qualified for that Office, as he was for being Prime Minister in State Affairs.

It was no wonder, that *Lewis* 13th, after the death of the Marquess d' *Ancre*, and his Wife, should remove his Mother from State Affairs, and confine her to *Blais*, to make room for *Luyne*s to Govern him more absolutely, then the Marquess and his Wife had done his Mother, for *Lewis* as he was of a feeble Constitution, both of Body and Mind, so *Luyne*s was a kind of Governor to him, appointed so by his Father *Henry* the 4th. to humour him in all his Childish Toys and Pleasures: So tho' *Rehoboam*, when Forty Years Old, was Governed by Young Men, not in Years, but understanding; so neither was it any great wonder, that *Edward* 2d. a young Man, should be Governed by *Piercie Gaveston*, a Person of far more accomplished Parts then *Buckingham*, for *Gaveston* was bred up with *Edward* and had so far by his flatterys prevail'd upon him, that *Edward* could not enjoy any pleasure in his Life without him. But for an Old King, having been so above Fifty One Years, to dote so upon a Young Favourite, scarce of Age, yet younger in understanding, tho' as old in Vices as any in his time, and to commit the whole ship of the Commonwealth, both by Sea and Land to such a *Phaeton*, is a President without any Example.

But how much soever the safety of the *English* Nation was endangered hereby; yet the but mentioning any thing hereof was an Invasion of the Kings Prerogative, and meddling with State-Affairs, which was above the Capacity of the Vulgar, and even of the Parliament, as you will soon hear: But how absolute soever the King was at home, the Face of affairs abroad stood quite Contrary, for the *Dutch* having retrieved their Cautionary Towns out of his Possession, had the King in such a Contempt, that they neither regarded him nor his New Lord High Admiral; and this Year, says the Author of the Address, to the Free-men and Free-holders of the Nation, in his Second Preface f. 13, 14. *The Dutch never before Fished upon the Coast of England, till they had begged leave of the King or Governor of Scarborough Castle; but this was now thought beneath the Magnificence of the Hogan Mogans, and therefore they refused it. They had been formerly Limited by our Kings, both for the number of their Vessels they should Fish with, and the time. Now they resolve to be their own Carvers, and in Order to that, denied the English the Sovereignty of the British Seas; and as if this had not been enough, drew nearer and nearer upon the English Shoars, Year by Year; then they did in preceding Times, without leaving any bounds for the Country People, or Natives to Fish upon their Princes Coasts, and oppressed some of his Subjects, with intent to continue their pretended Possession, and had driven some of their Great Vessels through their Nets, to deter others by like Violence from Fishing near them, &c. as Secretary Nanton January 21. 1618, told Carleton the Dutch Ambassador: And to justify all this they set out Men of War with their Fishermen to*

maintain all this by force. But it was not Fish our New Lord Admiral cared for; nor did he care for the King's Sovereignty of the *British Sea*, so as he might be Lord High Admiral in Name.

The sails of *Buckingham's Ambition* were now full swelled, till to the Title of Lord High Admiral, the Lord Warden of the Cinque-Ports was added to it, tho' he regarded the guarding the Coasts of *England*, as little as he did the Sovereignty of the *British Seas*: Nor did the accumulated Honours to himself alone satisfy his Ambition, but a new strein, his Mother tho' a professed Papist, must be pulled up with him in a concurring Title of the same Honour, by being created Countess of *Buckingham*.

The next year, if you begin at *January*, *Queen Anne* died the 2d. of *March* but this is but a beginning of the King's Sorrows, at least of his Troubles: But this no ways troubled our young Favourite, but to encrease the Honour of his Family, by Sir *George's* Second Brood; in *June* following, he had his Eldest Brother *John*, created Baron *Stoke*, and Viscount *Purbeck*, tho' I do not find he ever gave him one Penny to maintain these Titles.

Such disgust the King had taken at the Commons representing the Grievances of the Nation to him in the last Parliament; that in his Cups, and among his Familiars upon all occasions, he would inveigh against Parliaments, saying, *God is my Judge. I can have no joy of any Parliament in England, and that he was but one King, and there were above 500 in the House of Commons*: So as if he could have helped it he never would have been troubled with another; but as the Marriage of his Daughter with the Elector *Palatine*, was the Cause of his calling the last Parliament

Parliament, so the Consequence of this Marriage put him upon the necessity of calling another.

But because Mr. *Rusworth*, *Franklin*, and all other our Writers at home, have either mistaken the Cause, or taken it too short, we will look into it from abroad.

Before *Ferdinand*, the first Emperor of *Germany*, and younger Brother of *Charles* the 5th. the Kingdom of *Bobemia* was Elective, and tho' they often chose the German Emperors their King's after the *Turks* became great in *Europe*, as *Charles* the 4th. *Wenceslaus*, his Son, *Sigismund* and *Albert*, (the first of the Family of the House of *Austria*) yet in the Year 1440. they chose *Uladislaus*, King of *Hungary*, who was a *Polander*, to be their King, who being slain in the great Battle at *Varna* against *Amurat* the 2d. 1444. they chose his Son *Uladislaus* (an infant) King of *Hungary*, whose Guardian in his Minority was *John Huniades*, the famous Champion against the *Turks*. After *Uladislaus* (who died without issue) the *Bobemians* in 1456 chose *George Bogebracius*. After him in 1470. they chose *Uladislaus*, the Son of *Casimir*, King of *Poland* who had issue a Son named *Lewis*, and a Daughter named *Anne*, married to *Ferdinand*, Brother of *Charles* the 5th. Emperor of *Germany*; this *Uladislaus* was likewise chosen King of *Hungary*, and died in the Year 1516. his Son *Lewis* being then an Infant, was chosen King of *Bobemia* and *Hungary*; and ten Years after, viz. 1526. *Lewis* was overthrown and slain by *Solyman*, the Great *Turk*, at the Fight at *Mobatz*.

With *Lewis*, fell the Glory and Majesty of *Hungary*, the Paradiſe of the World, of a sweet and

temperate Climate, a most healthful Air, the Soil exceeding fruitful, yet reserving Mines of Gold and Silver in its bowels; abounding with Cattle, of a larger size than elsewhere, which it Supplied Germany, Italy and Turkey with, watered with the noble Rivers of Europe, the Danube, the Drave, Save, Tibiscus, &c. as fruitful with Fish, as the Land was with Cattle, excelling all the Countries in manifold, and fair built Cities and Towns.

Hungary, at the death of Lewis, from the time when Mathias (the Son of the famous Huniades) began to reign over them, for 70 Years enjoyed perfect Peace within, and abroad had the Reputation of the most Warlike Nation, and of all other the best Frontier, to stop the further Rage of the Turkish Arms in Europe: But in this long Peace the People, especially the Clergy, became excessive rich, accompanied with intollerable pride, and all other Vices, which accompanied Luxury and Ease.

In this high Conceit of themselves, the Clergy (especially Tomerius) put the King with an Army of 25000 Men only, to fight with Solyman with 300000 Turks, Twelve to One, wherein not only the King, but also Tomerius, and the flower of all the Nobility of Hungary fell; here the Fate of Hungary began, but did not end here.

For Ferdinand having married Lewis his Sister, and assisted by his Brother Charles, set up for himself to be King of Hungary, in right of his Wife, which the major part of the Nobility not slain in the Battle at Mohatz refuse to submit to, and chose John Sepuce, Vairvod of Transilvania to be their King; and John being too weak to oppose Ferdi-

nand,

and, flies to *Solyman* for his Assistance ; so that *Hungary*, which before was the Barrier against the progress of the *Turkish* power in *Europe*, now opens her Gates to let it in ; however the *Turk* being engaged in Wars against the *Persians*, *Ferdinand* prevailed against both, and *John* and *Ferdinand* came to this Agreement, That *John* should enjoy that part of *Hungary* whereof he was possesst during life, and *Ferdinand* the whole after his death.

Soon after *John* died, leaving the Queen with Child, - which proved a Son, and the Nobility, which before chose the Father King, now chuse the Son, and joining with the Queen, call in *Solyman* for their Assistance, who by this call enters *Buda* (the Regality of *Hungary*) and turns the Queen, and her Son out, giving him only the Title of *Vairod* of *Transilvania* : Now was *Hungary* become the Theatre for above 150 Years of all those Calamities, which both Civil and Foreign Wars bring upon a Country ; so that of the most fruitful and best inhabited Kingdom of *Europe*, it became the most Desolate and Uninhabited, the Inhabitants being made use of only to be slaves either to imperious Soldiers, or lazy and idle Clergy-men.

If *Hungary* were the Paradise of the World, *Bobemia* was not less of *Germany*, and as an Island is encompassed with Waters, so is *Bobemia* environed with Mountains, which, like a Garden with Walls, encompassed a most rich, pleasant and healthful Kingdom ; and to this Kingdom, as well as that of *Hungary*, does *Ferdinand* lay Claim in right of his Wife ; and being assisted by his Brother *Charles*, and further from the Assistance of the *Turks*, he forc'd the *Bobemians* to submit to his Empire ;

pire ; but this was not only during his and his Wives life, and her Heirs, but to his Heirs Male, though he claimed in right of his Wife. And herein you must observe, That the *Bohemians*, at this time, as well as their Ancestors before, were Enemies to the Popish Tyranny and Heresies, so that *Zisca*, the famous Captain of the *Hussites*, about one 100 Years before, in many Battles in opposition to the Popish Tyranny, overthrew the Emperor *Sigismund* ; and *Ferdinand* was a Zealous Maintainer of the Popish Supremacy and Usurpations, in Religion as well as Tyranny.

Ferdinand had Issue two Sons, *Maximilian* who succeeded him in the Empire, as well as in the Kingdoms of *Bohemia* and *Hungary*, and *Charles*, the first Arch-Duke of *Austria*. *Maximilian* had issue *Maximilian*, *Rodolph*, *Matthias* and *Albert*, Governor and Prince of the *Spanish Netherlands*, with whom King *James*, in the 2d. Year of his Reign, made the League before spoken of.

Rodolph in 1576, succeeded *Maximilian* in the Kingdoms of *Bohemia* and *Hungary*, as well as the Empire : This *Rodolph*, *Helvicus* says, was a Prince most worthy of all praise, the refuge of good Learning, and Ensign of Peace and Clemency ; and in the year 1609, granted *Liberty of Conscience* to the *Bohemians* and *Austrians*.

Matthias, *Rodolph's* Brother, succeeded him in the Kingdom of *Bohemia*, and the Empire in 1614. but *Matthias* having no Issue, and the Issue Male of *Maximilian* ending in him, a Question might arise about the succession to the Crowns of *Hungary* and *Bohemia* ; for admitting the Succession were Hereditary, then by the Laws of Inheritance these
Crowns

Crowns would Devolve upon the King of Spain, Philip the 3d. whose Mother *Anna*, was Daughter to *Maximilian* the 2d. and therefore to be preferred before *Ferdinand*, Arch-Duke of *Austria*, descended from *Charles*, *Maximilian's* younger Brother: To prevent this the Popish party, jealous of the Consequences, prevail upon, or rather force the Emperor *Matthias*, to surrender his Title to the Kingdom of *Bohemia*, to his Cousin *Ferdinand*, a zealous Assertor of the Supremacy of the Church of Rome.

The *Bohemians* having this farther strein of their Crowns being disposed of to another, and dreading the Disposition of this *Ferdinand*, Assembled at *Prague* (the Regal City of *Bohemia*) and demand a General Diet of the Kingdom to bring their Grievances thither ; herein they did not apply themselves to *Ferdinand*, as their King, but to *Matthias*, the Emperor, but *Matthias* denied, or deferred it (to use *Nani's* words, who, though a *Venetian*, seems to me to be very partial against the *Bohemians*) whereupon the *Bohemians* upon the 23d. of *May*, 1618. parted in a rout, and believing the Counts *Martinitz*, *Slavata* and *Philip Fabritus*, most zealous Papists, to be the Motives of *Matthias* his denial, flung them out of the Windows of the Castle of *Prague*, but they escaped by a Miracle, as *Nani* says, lib. 4. p. 127.

The Count *De la Tour* in this Commotion, makes a most patherick Oration to the *Bohemians*, Wherein he sets forth how the Privileges of the Kingdom were violated, and the Exercise of their Religion forbid, and made to descend upon the Will of Princes: That the Usurped Crown of *Bohemia* passed from Head to Head, as
shq

the Revenue and Inheritance of one House; and to Establish an everlasting Tyranny, being ravished before in time from Successors, in spite of Death is never suffered to be vacant, &c. And then goes on, *What have we not yet suffered? The use of Life now comes to be denied us, and the Usufruit of our Souls contested; but all our past Miseries will not be able to call to Remembrance, but some imperfect Representatives of the Calamities to come.* In summ, Rodolph lived amongst us, Mathias has reaped us, as the first fruits of his ambitious Desires. (for Mathias had forced Rodolph to resign the Crown of Bohemia to him, as Ferdinand had done to Mathias,) But what may we expect from Ferdinand, unknown to us, and in himself rigorous, directed by Spanish Councils, and governed by that sort of religious Priests and People, who detest, with an equal aversion, our Liberty and Belief. He was born and bred up in the Abhorrence of us Protestants, and why should we be so forward to make tryal of it? Since the Persons banished, the Families displanted, the Goods violently taken away, demonstrate too cruelly to us, that he would abolish our very Being, if he could as easily command Nature, as he uses Force. Wo to you Bohemians, to your Children, to your Estates, to your Consciences, if you suffer this Ferdinand to keep his Footing in the Throne: And when will you attempt to shake of the Yoke, if you have not Courage to do it at a time, when without Power, without Guard, the Kingdom is in your own Power, and that you have two Kings to oppose you, one wherof is false, and the other totters, &c. which you may read at large in the 4th. Book of Nani, and concludes, *The Lot is drawn, Liberty, or the Hangman; If Conquerors, we shall be just, Free and Princes; If Overcome, Perfidious, Perjured and Rebels.*

The Inhabitants of *Prague* before disposed, took at this Oration of *De la Tour*, and chose a Magistracy of Thirty, with the Title of *Directors*, to carry on a Government in opposition to *Ferdinand*, and what happened in *Prague*, was no sooner divulged through the Kingdom, but all was in Re-
volt, drawing also the Provinces of *Lusatia* and *Silesia*, adjoining to them, into their Confederacy.

Matbias had a Counsellor named *Gleselius*, upon whose Advice and Integrity *Matbias* relied above all other Men, who advised *Matbias*, by all fair means possible, to compose the Commotions of the *Bohemians*; for if he should come to a Rupture with them, and *Matbias* be compelled to raise an Army, the Interest of *Ferdinand* was such, not only in the *Spanish* Councils, but the *Popish* in *Germany*, and the *Hereditary* Countries, that he would command it, and hereby be in a Condition to ravish the Empire from him, as he had done the Crown of *Bohemia*; and *Matbias* feeling yet this Flesh-wound, feared that Mortal one, if *Ferdinand* were put on the Head of an Army.

Hereupon *Ferdinand*, without any regard to the Majesty and Authority of *Matbias*, resolved to Arrest *Gleselius*, and separate him from giving any farther Advice to *Matbias*; and one day being called to Council, where the King was with one *Ognate*, *Gleselius* was seized upon by *d' Ampiere* and *Prainer*, and put into a close Coach, and guarded by an hundred Horse, hurried away to *Inspurg*.

Matbias was astonished at this bold Insolence, which struck at his Authority in the tenderest part, and now without any Council, left in the hands of

of his Cousin, who designed to Rise out of his Ruine, became so over-whelmed with Melancholy that both asleep and awake, he could not be withheld from crying out with a loud voice, *That Gieselin might be brought back again*, but all to no purpose for he shall never live to see him again ; and in these Agonies he had some thoughts to have cast himself into the Arms of the *Bohemians*, but it was not in his power to do it. These things were in 1618. at the end whereof *Matthias* died.

These Commotions in *Bohemia*, and other parts of the Empire, encreased after the death of *Matthias*, so that the Election of an Emperor was controverted till the 30th. of *August* 1619, when *Ferdinand* was Chosen, having, by large Promises, prevailed upon *George*, Duke of *Saxony*, to Vote for him.

But however the *Bohemians* were stiff in opposing his Election to the Kingdom of *Bohemia*, and offered the Crown to *Charles*, Duke of *Savoy*, tho' a Popish Prince, and who had a better Title to the Crown of *Bohemia* than *Ferdinand*, his Mother being a younger Daughter of *Maximilian* the 2d. but prevailed upon by the Pope and Spanish Councils, he refused it, as did the Duke of *Saxony* ; and then they chose *Frederick* Count *Palatine*, hoping to receive great assistance from King *James* his Father-in-law, but were mistaken in the Man.

Upon this Election *Abbot* Arch-Bishop of *Canterbury* was all on Fire, to persuade the King to assist his Son-in-law, and to that purpose wrote a long persuasive Apology to the King concerning it, which you may read at Large in *Rushworth's* Collections, fol. 12. but the King and Bishop were not

not of the same opinion ; for the King would have it, that the Election of his Son-in-law, was upon the Score of Religion, not Right ; and therefore dissuaded him from it ; but being a Mighty Man of Embassies, as well as words. *Nani says fol. 138.* Published, That he would assist his Son-in-law, and dispatched an Ambassador to *Vienne*, proposing that *Bohemia* should remain to *Frederick* : But if his Authority by words would not settle his Son-in-law, King *James* could not go further. *Frederick* thus forsaken by his Father-in-law, raised upon his own account 10000 Foot and 2000 Thousand Horse, and entred *Prague* ; and was Crown'd King on the Fourth of *November. 1619*, and was no sooner Crown'd, but laid the Foundation of his own Ruine : for the Counts *De la Tour* and *Mansfield*, who had raised Two Armies and kept up the *Bohemians*, till the Kings coming to *Prague*, were not only neglected, but the Prince of *Anbalt*, whom the King brought with him, was made not only Generalissimo of the Army the King brought, but of the Armies raised by *de la Tour* and *Mansfield* ; besides the King tho' he had got a vast Treasure, was niggardly in paying the Soldiers, which necessitated them to take Free-Quarters upon the *Bohemians*.

In this disgusted state with the *Bohemians*, the King having withdraw so great Forces out of the *Palatinate*, left it exposed to the Ravages of the *Spaniards*, who under the Command of *Ambrose*, Count *Spinola*, General of the *Spanish* Army, under the Arch-Duke *Albert* (whom the King in the Treaty of the 2d. Year of his Reign calls *His Renowned and dear Brother*) made terrible Wars in the *Palatinate*. Here

Here you may see how unhappy King *James* was in the Peace or Truce he procured the King of *Spain*, and the Arch-Dukes, to make with the *Dutch* in 1609, for twelve Years; for in this Interval, the *Dutch* did not only retrieve their Cautionary Towns out of the King's possession, but the Truce still continuing, the Arch-Duke had not only an Opportunity to assist the Emperor, but to send *Spinola* with an Army to invade the *Palatinate*; and the Emperor, by an *Imperial Ban*, had proscribed the King's Son-in-law a Traitor and Rebel to the Empire, and thereupon forfeited his Electoral Dignity and Estate, which he gave to *Maximilian*, Duke of *Bavaria*, and committed the execution of it to the Arch-Duke *Albert*, the Elector of *Saxony*, and Duke of *Bavaria*.

King *James* was startled at this return to his Proposition at *Vienna*, that his Son-in-law should possess the Crown of *Bohemia*, and now complaining his Children's Patrimony would be lost, and that he would not sit still, and take no further care in it, and therefore sent another Ambassador to the Arch-Duke at *Brussels*, to expostulate the Matter, and this was the utmost he was able to do, and was forced to strain his Credit for it; but least this should not do, though sore against his Will, he resolved to call another Parliament, and try their Good Will towards it.

But that we may take all things before us, as they stood at the Meeting of this Parliament, the King notwithstanding the Attempt of Sir *Walter Raleigh* upon the *Spanish West-Indies*, had still by Sir *John Digby*, continued the Treaty of Marriage between the Prince of *Wales*, and the *Infanta Maria*

of *Spain* with the same confidence of success, as if the King of *Spain* had not been concern'd in Sir *Walter's* Expedition: But the Court of *Spain*, to check the King's forward Desires, demand high Privileges for the *Romanists*, which amounted to little less than a *Tolleration*; and that the Pope must be satisfied in his Conscience, before he could grant a *Dispensation* for the *Infanta* to marry with an Heretick Prince; both which the King and Prince agreed to, and were Signed by them both, though afterwards.

But however the Agreement between the Pope, King and Prince was not much known; the Liberty granted to the *Roman* Catholicks was generally taken notice of; and beside, the Generality of the Nation, notwithstanding the Benefits received by the *Spanish* Trade, still retained an Aversion to the *Spaniards*, which made the *Spanish* Match hated and feared by them; and by how much more they hated and feared the *Spaniard*; so much more Zealous were they for the King's Assistance of his Son-in-law in his Title to the Kingdom of *Bohemia*, as well as in preservation of the *Palatinate*, now Invaded by the Emperor, and King of *Spain*.

Thus things stood when the King's Necessities forced him to the unwilling Resolution of calling another Parliament, but they did not stay here, for upon the 9th. of *November* hapned the fatal Battle at *Prague*, fought by above 60000 Combattants, wherein, though the *Bohemians* were superior in number, the *Imperialists* were in Discipline and Valour; and though the King was the principal Object of the War, yet he thought not fit to engage

engage in the Battle, but stood at a distance out of Harm's way, to observe the event of it.

After two hours fight, the *Bohemians* were utterly overthrown and routed, 6000 being killed and more taken Prisoners, with all their Colours, Baggage, Guns and Ammunition, and scarce 300 of the *Imperialists* killed; the Prince of *Anhalt* was the first who gave the King notice of his Overthrow, with advice to provide for his Safety, which the King thought to do by flying back into *Prague*, but found no safety there.

For the Duke of *Bavaria*, General of the *Imperialists* followed him close, and summons him to surrender the City, and quit his Claim to the Kingdom: The King demands 24 hours respite to answer, but *Bavaria* only grants him eight, to which without any Reply, next Morning the King with the Queen, big with Child, and their Children, fly out of *Prague*, and by unfrequent ways by almost a Miracle, escape to *Uratislavia*, leaving the Heads of his Party in *Prague* to be Victims after an horrible Sacrifice, to their enraged and bloody Enemies, and all that inestimable Wealth, which he had got together, and was so niggardly of to his Soldiers, to be a Prey to his Enemies also.

In this diastorous state, *Frederick* driven out of *Bobemia*, the *Palatinate* invaded and overrun by *Spinola*, and having lost all his Wealth, as well as Kingdom and Country, retires with his Wife and Children into *Holland*; more supported by the *Dutch*, Prince of *Orange*, and some of the *English* Nobility, and Arch-bishop *Abbot*, than by the King, whose Bounty lay another way; and since he could not obtain Aids from his Father-in-law

for the preservation of his Country, yet he became a Suitor to the King, to sollicite the *Imperial* Court for the Conservation of the *Palatinate*, which the King did, but did him no good, and further the King would not go; but vainly promised to himself he could do it, by the Marriage of his Son to the *Infanta* of *Spain*, and get two Millions of Money for her Portion to boot.

Though the *English* Nobility patiently truckled under the Ambition and Covetousness of *Buckingham*, yet the same Genius was not found in the *French* Princes of the Blood and Nobility, under the prodigious Pride, and exorbitant Promotions of *Luynes*; to restrain them, or it may be, to force *Luynes* from the King's favour, the Queen-Mother made a League with the Count of *Soissons*, (a Prince of the Blood) the Count *Vendosme* and Grand Prior of *France*, (both Natural Sons of *Henry* the 4th. of *France*) against him, and the Dukes of *Longueville*, *Mayen* and *Espernon* joined with them, so did those of the Reformed Religion under the Duke of *Roban*, and his Brother *Sobiez* (Princes of the Blood of the Line of *Narvair*.)

But these Commotions, being sudden and ungrounded, were soon suppress'd, and the King was reconciled to the Queen and Popish Nobility, and the greatest loss fell upon those of the Religion, who lost *St. John de Angely*, *Gergeau*, *Sancerre* and *Saumur*, which were all the Cautionary Places which the Reformed had upon the *Loire*, and also *Suilly*, *Merac* and *Caumont*. King *James*, that he might as much appear for the Reformed, as he had done for his Son-in-law, sent Sir *Edward Herbert*, after *Baron Herbert* of *Cherberry*, his Ambassador
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into *France*, to Mediate a Peace between the King and the *Reformed*, and in case of refusal to use menaces, which Sir *Edward* bravely performed, to *Luynes*, and after to the *French King* himself; which being misrepresented to King *James*, Sir *Edward* was recalled, and the Earl of *Carlisle* was sent Ambassador into *France* in his room; and the Earl finding the Truth to be otherwise then was represented by *Luynes*, acquainted the King with it: Hereupon Sir *Edward* kneeled to the King, and humbly besought him, that since the Business between *Luynes* and him was become publick, that a Trumpeter, if not an Herald on Sir *Edward*'s part might be sent to *Luynes*, to tell him, That he had made a false Relation to the King of the Passages between them; and that Sir *Edward* would demand Reasons of him with Sword in hand on that point; but the King was not pleas'd to grant it; and here began the Downfall of the Power of the *Reformed* in *France*, and the Rise of the *French Grandeur* by Land.

In this rotten and teachy state of Affairs, before the Meeting of the Parliament, the King issued out a Proclamation (of which he was as Prodigal, as bountiful to his Favourites) forbidding Men to talk of *State-Affairs* (as if his Favourite *Buckingham*, who govern'd all, was so mindful of them) nor was the King less jealous of the Parliament's, meddling with *State Affairs*, than of the Peoples talking of them out of Parliament, so that the King upon the opening of the Parliament the 30th. of *January*, told them of the Constituting parts of a Parliament, and how that it was twelve Years since he had received any Aids from Parliaments; and how

how that though he had prosecuted a Treaty of Marriage between the Prince and *Infanta* of Spain, which if it were not for the benefit of the Established Religion in *England*, and of the Reformed abroad, he was not worthy to be their King; and though he had refused to assist his Son-in-law in his Election to the Kingdom of *Bobemia*, being a Matter of Religion contrary to what he had wrote against the Jesuites, yet that he could not sit still and see the Patrimony of his Children torn from them by the Emperor, and therefore was resolved to raise an Army next Summer, and that he would engage his Crown, his Blood and Soul for the recovery of the *Palatinate*: And having before told the Commons of their Duty to petition the King, and acquaint him with their Grievances, but not to meddle with his Prerogative; he after tells them, that who shall hasten after Grievances, and desire to make himself popular, has the Spirit of *Satan*.

The Parliament, notwithstanding the violation of their Privileges the last Parliament, by the King's imprisoning their Members; yet being Zealous to assist the King against the Emperor, and King of *Spain*, in favour of the *Palgrave*; and though the Nation at no time before so much abounded in Corruption and Grievances, yet to humour the King, inverted the Methods of Proceedings in Parliament, and the Commons granted the King two entire Subsidies, and the Clergy three before they entered upon Grievances, which so pleased the King, that in a Speech in the House of Lords, he declared it was more acceptable to him than Millions, it shewing he reigned in the Love and Affections of his Subjects, but he did not long hold in this mind.

At this Sessions of Parliament, (if it may be called so, no Act but that of the subsidies passing) Sir *Giles Mompesson*, and Sir *Francis Michel*, were Sentenced and Degraded, for erecting new Inns and Ale-houses, and exacting great Sums of Money by pretence of Letters Patents granted for that purpose; Sir *Giles* fled, and so escaped a further punishment, but Sir *Francis* was Condemned to perpetual Imprisonment in *Finsbury Goal*; Sir *Francis Bacon*, Viscount *Verulam*, and Lord Chanellor, was likewise Censured, Deposed, Fined and Committed Prisoner to the Tower for Bribery, and *Bacon's* fall was Dr. *William's* rise, Dean of *Westminster*, to be Lord Keeper of the *Great Seal*.

But the Commons debating the growth of Popery, and the dangerous Consequences of the *Spanish Match*, contrary to the King's Speech and Inclinations, he upon the 4th. of *June* (which the Commons took to be an Invasion upon their Priviledges) by Commission adjourned them to the 14th. of *November*, and by a Proclamation forbid the talking of *State-Affairs*. In this recess the *Spaniards* took *Stein* in the lower *Palatinate*, and the Duke of *Bavaria* all the Upper *Palatinate*, and the Arms of *Lewis* prevailed more upon the *Reformed* in *France*, yet none of these prevailed upon the King, further then to mediate a suspension of Arms in order to Treat an Accommodation between the Emperor and his Son-in-law, and the *French King* and the *Reformed*, which had no other effect, but to make the King contemptible in *Germany* as well as *France*, his Power and Authority being bounded up only in Words and Messages, which the King's ill-Willers blazed abroad, cost the
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King more then would have recovered the *Palatinate*.

However the King abated nothing of his pleasure and dissolute Life, but according to the usual Methods of his Life, in the *Autumn* went to *New-Market* to divert himself with hunting, from the trouble of Affairs, either Foreign or Domestick, leaving his Favourite *Buckingham* Dictator of all his Affairs, when the Parliament met again: But how remiss soever the King was of his Affairs, the Commons were not, perhaps heated by their Adjournment and alarmed at the Progress of *Lewis* against the *Reformed* in *France*; and of the Emperor, and King of *Spain*, not only in the *Palatinate*, but all over the Empire against the Protestants, and also with the Liberty which the popish Party took, upon the hopes they conceived would accrue to them by the *Spanish* Match, still as fervently pursued by the King and Prince as ever, the King encouraged hereto by the Earl of *Bristol*, the King's Ambassador in *Spain*, but more by the *Spanish* Ambassador *Gondamour* here: A Person, as *Nani* observes, who with a stupendious accuteness of Wit, so confounded Pleasant things with serious, that it was not easy to be discerned when he spoke of Business, and when he Rallied; he had so insinuated himself into the mind of the King, that he need not take any further care of restoring his Son-in-law to the *Palatinate*, but by Prince *Charles* his marrying with the *Infanta*, the Treaty whereof now 8 Years old, being brought to maturity and perfection, so soon as the Pope should grant a Dispensation.

The House of Commons hereupon, and being ill Satisfied with the Distribution of the Subsidies, before granted to the King, resolve to proceed upon Grievances before they granted more Supplies, and to that end drew up a long and Particular Remonstrance, which you may read at large in Mr. *Rushworth's* Collections, fol. 40, 41, 42. setting forth the dangerous state of the Nation, and of *Christendom*, by the Alliances of the Pope and popish Princes, especially the King of *Spain*, Chief of the *League*, and what dismal Consequences would follow by the Marriage of the Prince with the *Infanta*, &c. yet resolve to grant the King another Subsidy for carrying on the War for the Recovery of the *Palatinate*; but withal humbly desired his Majesty to pass such Bills, as shall be prepared for his Honour, and the general Good of his People, accompanied with a General Pardon as is usual; concluding with their daily Prayers to the Almighty, the great King of Kings, for a Blessing upon their Endeavours, and for his Majesties long and happy Reign over them, and for his Childrens Children after him, for many and many Generations.

The noise of this *Remonstrance* so disturbed the King in his pleasures at *New-Market*, which all his cares for the preservation of his Son-in-law's Patrimony could nor do; That upon the 3d. of *December* he wrote to Sir *Thomas Richardson*, Speaker of the House of Commons, this Letter, which because of the rarity of it, by any King of *England* to his Parliament before, we will give it *verbatim*.

Mr.

Mr. Speaker,

WEE have heard by divers Reports to Our great grief, that Our distance from the Houses of Parliament, caused by Our Indisposition of Health, hath imboldned the fiery and popular Spirits of some of the Commons, to argue and debate publickly of Matters far above their reach and capacity, tending to Our high Dishonour, and breach of Prerogative Royal. These are therefore to Command you to make known in Our Name unto the House, that none therein from henceforth do meddle with any thing concerning Our Government, and deep Matters of State, and namely not to deal with Our dear Son's Match with the Daughter of Spain, not to touch the Honour of that King, or any other of Our Friends and Confederates ; and also not to meddle with any Man's Particulars, which have their due Motion in any of Our ordinary Courts of Justice. And whereas We hear they have sent a Message to Sir Edwin Sandis, to know the Reasons of his late Restreint, you shall in Our Name resolve them, that it is not for any Misdemeanor of his in Parliament ; but to put them out of doubt of any Question of that nature, that may arise among them hereafter, you shall resolve them in Our Name, that We think our Self very free and able to punish any Man's Misdemeanors in Parliament, as well during their Sitting, as after, which We mean not to spare hereafter, upon any occasion of any Man's insolent Behaviour there that shall be Ministred unto Us : And if they have already touched any of these Points, which We have forbidden, in any Petition of theirs which is to be sent to Us, it is Our Pleasure that you tell them, That except they Reform it before it comes to Our Hands, We will not deign the Hearing nor Answering of it.

The Commons having a publick Trust reposed in them, and truly apprehensive of the dangerous state of the Protestants in *Christendom*, as well as of the Kingdom; and that not only the King's remissness in taking care of both, but the Designs he prosecuted, were equally dangerous to both; in a most humble and supplicant Remonstrance, represent to the King, his recommendation of the Affairs of the *Palatinate* to them, and the dangerous State of *Christendom*: In discourse whereof they did not assume to themselves any Power to determine of any part thereof, nor intend to encroach or intrude upon the *Sacred Bounds* of his Royal Authority, to whom, and to whom only, they do acknowledge it does belong, to resolve of Peace and War, and of the Marriage of the most noble Prince, his Son; but as his most Loyal and Humble Subjects, to represent these things to his Majesty, which otherwise could not so clearly come to his knowledge, &c.

They beseech his Majesty that they may not undeservedly suffer, by the misinformation of partial and uncertain Reports, which are ever unfaithful Intelligencers; and not give credit to private Reports against all, or any of their Members, whom the House hath not Censured, until his Majesty have been truly informed from themselves, that they may stand upright in his Majesty's Grace and good Opinion, then which no worldly Consideration can be dearer to them, &c. Which you may read at large in Mr. *Rushworth's* Collections, vol. 44, 45, 46.

The King having cast the Sheet-Anchor of all his hopes upon the *Spanish Match*, whereby he should

ould not only re-establish his Son-in-law in the Palatinate, and also get more Money than he could hope for in Parliament, furl'd all his Sails, and resolv'd to ride out this Storm of the Commons, notwithstanding his Pleasures and Indisposition of Health, in a long Invective against them in a *Scottish Dialect*, which you may read at large in *Rushworth's Collections*, the Heads whereof were,

1. That he must repeat the Words of Queen *Elizabeth* to an insolent Proposition, made by a *Polonian Ambassador*, *Legatum expectabamus, Heraldum accepimus*, that he had great Reason to have expected better from them, for the 37 Monopolies and Patents called in by him since the last recess; and for the three, whereof *Monpeffon* and *Michel* were censured, but of these he heard no news; but on the contrary, Complaints of Religion, tacitely implying his ill Government.

2. That the Taxing him with trusting to uncertain Reports, and partial Informations, concerning their Proceedings was needless, being an old and experienced King, and in his Conscience the freest of any King alive, from hearing or trusting idle Reports: That in the body of their Petition, they usurp upon his *Prerogative Royal*, and meddle with things far above their reach, and then protest to the contrary; as if a Robber should take away a Man's purse, and then protest he meant not to rob him.

3. That his Recommendation of the War for regaining the *Palatinate*, was no other than if it could not be recovered otherwise; which can be no inference, that he must denounce War against the

the King of *Spain*, break his dearest Son's Match, and match him to one of our Religion; which is all one as if we should tell a Merchant we had great need to borrow Money of him for raising an Army, and that thereupon it should follow, that we were bound to follow his Advice in the Direction of the War: That this Plenipotency of theirs, invests them with all Power upon Earth, lacking nothing but the Popes, to have the Keys both of Heaven and Purgatory: That it was like the *Puritans* in *Scotland*, to bring all Causes within their Jurisdiction; or like *Bellarmino's* distinction of the Popes power over Kings, *in ordine ad Spiritualia*. Whereby he gives them all Temporal Jurisdiction over them.

4 That he expected the Commons would have given him Thanks for the long maintaining a settled Peace in all his Dominions, when all our Neighbours about are in a miserable Combustion of War, but *Dulce Bellum inexpertis*.

5. That he had ever professed to restore his Children to their Patrimony by War or Peace, and that by his Credit and Intervention with the King of *Spain* and Arch-Dukes, he had preserved the *Lower Palatinate* from the farther Conquering, for one whole Year; and that his Lord Ambassador *Digby* had extraordinarily severed *Heidelberg*.

6. That he could not couple the War of the *Palatinate*, with the Cause of Religion, and that the War was not begun for Religion, but only by his Son-in-law's hasty and harsh Resolution to take to himself the Crown of *Bobemia*; and that this Usurpation of him, from the Emperor had given the Pope, and that Party, an Occasion to oppress and

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Curb many thousands of our Religion in divers parts of *Christendom*.

Here I desire that the Reader takes notice of the Case of the *Bohemians*, as it is set forth by *Baptista Nani*, fol. 126. Anno 1618, after they had *Liberty of Conscience* granted them by *Rodolph*, the Emperor, and that *Ferdinand* had no colour of Title to the Kingdom of *Bohemia*, but as he forced the Emperor *Mathias* to surrender it to him.

Ferdinand bred up in the Catholick Faith, detested all sorts of Error, and therefore by how much not succeeding to the Father, he found the Patrimonial Countries incumbred with false Opinions, so much more with signal Piety, had he applied himself to promote the true Worship, with such success, that at last those Provinces rejoiced to be restored to the bosom of the Ancient Religion: But this was not without some sort of severity, so that many not to leave their Errors, constrained to abandon their Country, and sell their Estates, lived elsewhere in Discontent and Poverty, and others driven away by force, and their Estates confiscate, saw them not without rancour, possessed by new Masters; and all this done in the Life of *Mathias*: So that *Ferdinand*, as his Title was *Usurpation* and Force, so was the Exercise of it *Tyranny* in the highest Degree, to the Overtthrow of the *Bohemian Laws and Liberties*; therefore the Original of the *Bohemian War*, was not founded in the Election of *Frederick* to be King, for *Ferdinand* perpetrated these Things two Years before.

Nani goes on and says, in the Empire therefore, in which the Religion, no less than the *Genius* love Liberty, there appeared great Apprehensions, that
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where *Ferdinand* should get the Power, he would exercise the same Reformation, and impose a Yoke so much the more heavy, by how standing in need of Money, and the Councils of *Spain*, he should be governed by the Rules and Maxims of that Nation, so hateful to the *Germans* : So that it was the Election of *Frederick* to be King of *Bohemia*, that opened that Gate for the Pope and his party, for curbing and oppressing of many Thousands of our Religion in divers parts of *Christendom*, as the King said ; for it was set wide open before by *Ferdinand*.

7. That the Commons Debates concerning the War with *Spain* and *Spanish Match*, were Matter out of their sphere, and therefore *Ne sutor ultra Crepidam*, and are a Diminution to him and his Crown in foreign Countries : That the Commons in their Petition had attempted the highest Point of Sovereignty, except the stamping of Coin.

8. That for Religion, he could give no other Answer then ingeneral, than that the Commons may rest secure, he will never be weary to do all he can for the propagation of ours, and repressing of Popery ; but the manner they must remit to his Care and Providence.

9. That for the Commons request of making this a Sessions, and granting a General Pardon, it shall be their Fault if it be not done : But the Commons required such Particulars in it, that he must be well advised, least he give back double or treble of that he was to receive by their Subsidy ; but thinks fit, that of his free Grace he sends down a Pardon from the higher House, containing such Points as he shall think fittest.

10. He thinks it strange the Commons should make so bad and unjust a Commentary upon some Words in his former Letter, as if he thereby meant to restrain the Commons of their ancient Privileges and Liberties in Parliament, wherein he discharges them from meddling with Matters of Government, and Mysteries of State, namely Matters of War and Peace, or his dearest Son's Match with *Spain*, or that they meddle with things which have their ordinary Course in the Courts of Justice: That a Scholar would be ashamed so to mis-judge and mis-place Sentences in another Man's book, or in the coupling these Sentences, they plainly leave out Mysteries of State, and so Err, *a bene Divisis ad mala conjuncta*; that for the former part concerning Mysteries of State, he plainly restrained his Meaning, to the Particulars which were after mentioned; and for the latter, he confesses he meant it by Sir *Edward Coke's* foolish business, and therefore it had well become him, especially being his Servant, and one of his Council, to have complained to him, which he never did, tho' he was ordinarily at Court, and never had access refused him.

Sir *Edward Coke's* business was a Conspiracy against him by my Lord Chancellour *Bacon*, one *Lipton*, a Goldsmith, after he was discharged from being Chief Justice, to have exhibited an Information against him in the *Star-Chamber*, or have sent him into *Ireland*; the Business was debated in the House of Commons, but Sir *Edward* complained not, nor appeared to speak in it.

If the King were uneasy with the Common's Remonstrance, the Commons were not less with the
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the King's Answer, and at the Resolution taken in Court, to Adjourn the Parliament to the 8th. of February next, which the Commons took to be a violation of their Priviledges, and an Omen of their Dissolution, whereupon they entered this Protestation.

THe Commons now Assembled in Parliament, being justly occasioned thereunto, concerning sundry Liberties, Franchises and Privileges of Parliament, among others here mentioned, do make this Protestation following, That the Liberties, Franchises, Privileges and Jurisdictions of Parliament, are the ancient and undoubted Birth-right and Inheritance of the Subjects of England and that the arduous and urgent Affairs concerning the King, State and Defence of the Realm, and of the Church of England, and the maintenance and making of Laws and redress of Grievances and Mischiefs which may happen within this Realm, are proper Subjects, and Matter of Council and Debate in Parliament; and that in the handling and proceeding of those Businesses, every Member of the House of Parliament hath, and of Right ought to have freedom of Speech, to propound, treat, reason, and bring to conclusion the same: And that the Commons in Parliament have like Liberty and Freedom to treat of these Matters in such order, as in their Judgments they shall think fittest; And that every Member in the said House, hath like freedom from all Impeachment, Imprisonments and Molestation (other than by Censure of the House it self) for, or concerning any Speaking, Reasoning or Declaring any Matter or Matters touching the Parliament, or Parliament-business. And that if any of the said Members be Complained of, and Questioned for any thing done or said in Parliament, the same is to be shew-

to the King, by the Advice and Consent of all the Commons assembled in Parliament, before the King give Audience to any private Information.

If the King was alarmed at the Commons Resontrance, this Protestation of the Commons, was such an invasion upon his Sacred Prerogative Royal, that neglecting his pleasures, and health, which he took such care to preserve, by retiring into the Country; up he now comes to London, and upon the 30th. of December, in a full Assembly of Council, and in the presence of the Judges, declares the said Protestation invalid, annulled, void, and of none effect, *& Manu sua propria*, takes the said Protestation out of the Journal-book of the Clerk of the Commons-House of Parliament, and commanded an Act of Council to be made thereupon, and this Act to be entred in the Register of the Council-Causes.

And on the 6th. of January, the King by his Proclamation dissolved the Parliament, Shewing that the Meeting, Continuing and Dissolving Parliaments, does so peculiarly belong to him, that he needs not give any account thereof to any other; yet he thought fit to declare, that in the Dissolution of this Parliament, he had the Advice and Uniform consent of his whole Council; And that some particular Members of the Commons took inordinate Liberty, not only to treat of his High Prerogatives, and sundry things not fit to be argued in Parliament, but also to speak with less respect of Foreign Princes: That they spent their time in disputing Privileges, and discanting upon the Words and Syllables of his Letters and Messages; and that these Evil-tempered Spirits sowed Tares among the Corn, and by their Carriage have imposed

imposed upon him a necessity of discontinuing this present Parliament, without putting to it the name or period of a Session. And lastly he declared, That tho' the Parliament were broken off, yet he intended to govern well and shall be glad to lay hold on the first occasion to call another.

CHAP. IV.

A Continuation of this Reign to King James his Death.

THe first Act the King did to make good his Promise in his Proclamation, to govern well was, his Commitment of Sir *Edward Coke* and Sir *Robert Philips* to the Tower, and Mr. *Selden*, Mr. *Pym* and Mr. *Mallery* to other Prisons; and Sir *Dudley Diggs*, Sir *Thomas Crew*, Sir *Nathaniel Rich*, and Sir *James Parrot* into Ireland. Sir *Thomas Overbury* had a Cause assigned for his Commitment to the Tower, but yet it was observed an hardship upon him, without any President, that he should be confined a close Prisoner for a Contempt; whereas these were not only confined, but close Prisoners (for ought I can find, I am well assured Sir *Edward Coke* was) not only without any Cause shewed, but for performing a publick Trust reposed in them. Nor did the Commons only suffer, under this Fury of the King, for performing their Duty, but the Noble Earl of *Southampton* was imprisoned for his freedom of Speech, and for rebuking *Buckingham* for his disorderly Speaking in the House of Lords, as you may see in the first part of *Keeper William's Life*, fol. 62. tit. 8.

But

But of all others, this storm fell most severely upon Sir *Edward Coke*, and by several ways his Ruin was contrived: First by sealing up the Locks and Doors in his Chambers in *London*, and in the *Temple*. Secondly, by seizing of his Papers, by virtue whereof they took away his several Securities for Money, as a learned Lawyer Mr. *Hawles* hath observed. Thirdly, it was debated in Council, when the King would have brought in the General Pardon, containing such Points as he should think fittest, by what ways they might exclude him from the benefit of it, either by preferring a Bill against him before the publication of it, or by excepting him by name. Fourthly if the King's Name were used by *Northampton* and *Somerset* to confine Sir *Thomas Overbury* so close, that neither his Father nor Servants should come at him; so was the King's Name used here, that none of Sir *Edward Coke's* Children or Servants should come at him; and of this I am assured from one of Sir *Edward's* Son's and his Wife. Fifthly, in this Confinement, the King sued him in the *King's-bench* for 30000 *l. 2s. 6d.* for an old Debt pretended to be due from Sir *William Hatton* to Queen *Elizabeth*, and this was prosecuted by Sir *Henry Yelverton*, with all severity imaginable; but herein the King's Council were not all of one piece, for when a Brief against Sir *Edward* was brought to Sir *John Walter* (I think) then Attorney General, he returned it again with this Expression, *Let my Tongue cleave to the roof of my Mouth, when ever I open it against Sir Edward Coke*; however after the Tryal, the Verdict was against the King.

Mr. *Selden* got his liberty by the favour of my
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LordKeeper *Williams*; but the rest must abide by it, till the breaking of the *Spanish Match*, necessitated the King to call another Parliament.

But least the King's word in his Proclamation for Governing well, should not pass Currant, and without dispute; the King ordered the Judges in their Circuits to give this in their Charges, That the King taking notice of the People's liberal speaking of Matters far above their reach, and also taking notice of their licentious and unduitful Speeches touching State and Government, notwithstanding several Proclamations to the contrary, the King was resolved no longer to pass it without severest Punishment; and thereupon to do exemplary Justice, where they find any such Offenders.

The King having in the Ninth Year of his Reign, borrowed 111046*l.* upon *Privy-Seals*, which the Writer of the Historical Narration of the first 14 Years of King *James* his Reign, *Tit. Monies raised by him, fol. 14.* says, were unrepayed: Now, since he could receive no more Money in Parliament, Orders the Privy-Council to Issue out an Order for raising Money out of Parliament, for the Defence of the *Palatinate*, and also Letters to the Justices of the Courts in *Westminster-hall*, and Barons of the *Exchequer*, to move them, and perswade others to a liberal Contribution, for the Recovery of the *Palatinate*, according to their Qualities and Abilities: Nevertheless, if any Person shall, out of Obstinacy, or Disaffection, refuse to contribute thereto, proportionably to their Estates and Means, they are to certify their Names to the Council-board.

Letters to the same effect were directed to the high Sheriffs of Counties, and Justices of Peace, and

and to the Mayors and Bayliffs of every City and Corporation within the Kingdom, requiring them to Summon all before them of known Abilities within their Jurisdictions, and to move them to a chearful Contribution, according to their Means and Fortunes, in some good measure, answerable to what others well affected have done before them. And to make choice of meet Collectors of the Monies, and to return a Schedule of the Names of such as Shall contribute, and the Summs that are offered by them; that his Majesty may take notice of the good Inclinations of his Subjects to a Cause of such importance; as likewise of such others, if any such be, as out of obstinacy or disaffection shall refuse to contribute; these were the Ways which this pacifick King took in and out of Parliament, (which I believe, except in the Reign of *Edward* the 4th.) were never practised by any of our *English* Kings; and all this under the specious pretence of recovering his Son-in-law's Patrimony, prodigally to squander it among his Favourites, especially *Buckingham*, whose Avarice could not be supported otherwise by the Revenues of the Crown, and venality of all Places Sacred and Civil.

These were the Noble Atchievements, which this Pacifick King obtained over his Parliament, which presumed to advise him for his own Honour, and the Nations safety; this was the Return he made them for inverting the Methods of Proceedings in Parliament, to pleasure him, by granting Subsidies before Grievances were redrest: A Prince foreign born to our *English* Laws and Constitutions; *A Prince*, as the noble *Nani*, *Ann.* 1619. *Fol.* 137, 138. observes, in whom Decorum, and

want of Power, were commonly opposites ; he being Scotch by Birth, and come to the Crown by Inheritance, was the first that governed the two Nations by Natural Antipathy, and ancient emulation of Enemies, and designing to reclaim the fierceness of those people with Ease and Idleness, had set up his Rest in peace, and avoiding, as much as possible, the Calling of Parliaments, without which, not having the power to impose Contributions, nor levy Money, he contented himself rather to struggle with many Streights and Difficulties, than to see them meet, with a jealousy of them ; or being met, be obliged to separate them with the disgust of the People, or with the satisfaction of prejudice to the Superiour in power. A Prince so poor before he came to the Crown of England, that if he had not been supported by the Pension Queen Elizabeth allowed him, could not have maintained the Garb of many of our English Gentry ; and being come to the Crown of England, not only the Sacred Patrimony of it, was squandered and embarrassed upon debauched and prophane Favourites, but the People otherwise oppressed with almost infinite Monopolies and projects, which the Nation never before heard of ; and as they were new, so were they all illegal, and all these to make his Favourites rich, while he continued the poorest King that ever governed England : Justled in his Throne by the Presbytery in Scotland, nothing less than Sacred would down with him from the Clergy in England, though his dissolute Life, and prophane Conversation, were diametrically contrary.

These, by a Twenty years habit, were so fixed in the King, a Prince of all other the most regardless of his Honour and Word, that they became natural : So that after the Parliament had given him

two Subsidies, -and intended another for carrying on the War for the recovery of the *Palatinate* ; and after he had by such means, as before said, by such terror raised Benevolences all *England* over upon pretence of it ; yet by the Advice of *Buckingham* and *Gondamour*, he placed the Anchor of his Hope to do it by the Match of his Son with the *Infanta* of *Spain*, when an unlooked-for Accident, reported by *Nani*, in his 5th. Book, fol. 186. had like to have spoiled all.

For the King of *Bohemia*, weary of being amused, and deluded with the hopes of his Father-in-law's Treaties, which he now saw were mocked by the *Spaniards* themselves, in a disguise, with two Persons only, from *Holland* passes into *France* by Sea; and from thence through *Lorrain*, and through the midst of his Enemies Troops, arrives at *Landau*, where Count *Mansfield* (who then made War in the *Palatinate* in his Right) had a Garrison, where he discovered himself, and from thence went to *Germerheim*, where he was received with the general Applause of the whole Army.

This escape of the King's Son-in-law, confounded all the King's Measures which he had taken for him, by the Marriage of the *Infanta* with his Son ; so that he was more Allarm'd at it, than at the Commons Remonstrance and Protestation, though he bore the Affliction with a much better Temper: So all Wits were set at work how to get the Elector out of the hands of *Mansfield*, back again into *Holland* ; for now the proceedings at *Brussels* upon the Peace, were put to a full stop, the *Spaniards* alledging they could not proceed in the Treaty, so long as the King's Son-in-law was in the hands

of *Mansfield*, their most inveterate and bitter Enemy.

It fell out luckily for the King's Designs, though unluckily for his Son-in-laws ; that *Mansfield* being worsted by the *Spanish* Arms in the *Palatinate*; and the Elector *Palatine* fearing that *Mansfield* in the adversity of his Affairs, would make him a Sacrifice, in giving him up to the *Spaniard*, to make his (*Mansfield*,) Terms the better ; was the more easily enveagled by the King's Agents, to return again into *Holland*, where the first News he heard was, that *Tilly* had taken *Heidelberg* (the Capital Seat of his Ancestors) by storm, and *Frankentall* (his next City) reduced to Extremity by *Cordua* ; so that, as *Nani* says fol. 188. King *James* who had published, that his Son-in-law held that Country under his Protection, was laught at by all the World, and forced to consent to a Truce for 15 Months, during which *Franckentall*, and the rest of the Lower *Palatinate*, should be deposited in the *Spaniard's* Hands, to restore them to the King, (*James*) if within that time there were not a Peace concluded.

King *James* having thus deposited his Son-in-law's Patrimony, in the hands of the *Spaniards* in the *Low Countries* : Now by the Direction of *Buckingham*, (not only the Dictator over the Kingdoms of *England*, *Scotland* and *Ireland*, but over the King himself, and 'twas feared more over the Prince) upon pretence that the Earl of *Bristol* was too remiss, in prosecuting the Prince's Suit at *Madrid*, resolves to deposite the Prince in the power of the Court of *Spain*, there to remain as an Hostage till he can procure the *Infanta* to be his Spouse.

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This was such an Adventure, as *Don Quixot* never dreamt of in any of his ; that because the King, the Prince's his Father was poor at home, and despised abroad, therefore by making his only Son an Hostage in another King's Court, where the Maxims both of Religion and State were directly contrary, he should perswade the King of *Spain* to overturn all, and also get such a Portion, as was four-fold more than any Prince before had, to enrich himself, and to make War against the King of *Spain*, or Emperor, which the *Spaniard* esteemed all as one ; and also that the King of *Spain* should restore the *Palatinate*, because the King knew not which way else to do it : Yet this Adventure must be run, because *Buckingham* would have it so ; so pur-blind, nay, stark-blind, does Poverty and Covetousness make Man's Understanding and Reason.

But that we may take all before us, let's see in what Esteem King *James* was with the *Spaniards*, which might encourage him to pursue this Adventure. In their Comedies in *Flanders*, they imitated Messengers bringing News in haste, that the *Palatinate* was likely to have a numerous Army shortly on foot : For the King of *Denmark* would shortly furnish them with a Thousand Pickled-Herrings ; the *Hollanders* with one Hundred Thousand Butter-boxes, and *England* with one Hundred Thousand Ambassadors : They pictured King *James* in one place, with a Scabbard without a Sword ; in another, with a Sword, which no Body could draw out, though divers Persons stood pulling at it : In *Brussels* they painted him with his Pockets hanging out, and not one Penny in them, and his Purse turned upside down : In *Antwerp* they pictured the Queen of *Bohemia*,

mia, like a poor Irish Mantler, with her hair hanging about her Ears, with her Child at her Back, and the King (James) carrying the Cradle after her ; and every one of the Pictures had several Motto's expressing their Malice. Such Scorns and Contempts were put upon the King (James) and in him the whole Nation. See the Preface to the History of the first 14 Years of the Reign of King James.

But though *Buckingham* pursued this Match with such eagerness, yet when it came to his Management in *Spain*, where the King's Proclamations forbidding Men to talk of *State-Affairs* had no effect, he proceeded wrong in every step of it ; and to gratify his Ambition, and Personal disquits, was the first and principal Instrument to break it off ; but that we may not insist upon Generals.

1. The Prince's coming to *Spain*, and thereby putting himself into the King of *Spain's* power, brake all the Earl of *Bristol's* Measures, whereupon the Negotiation, and all the particulars of the Marriage were settled, and the Negotiation was put into a new form. See *Rush. Col. fol. 286.*

Objection.

This was but a Charge, by the Earl of *Bristol*, against the Duke, who prosecuted the Earl of High *Misdemeanors*, and therefore no proof against the Duke,

Answer.

Yet the Honour of so great a States-man, and faithful a Councillor, as the Earl was, who had so honourably served the King in 7 foreign Embassies, and had by the Expence of 10000*l.* saved *Heidelberg* from falling into the hands of the *Spaniard* ; and having, upon the Dissolution of the last Parliament

ment given the King 500*l.* upon the Benevolence, and never received a Check from the King in all his Negotiations, but always honourable Testimonies from him, for his faithful Services, before *Buckingham*, broke in upon him, may go a great way.

But it seems to me to be a clear proof upon *Buckingham*, for *Bristol* twice answered Articles preferred against him, without any Reply ; whereas rather than *Buckingham* should Answer *Bristol's* Charge, the King (*James*) dissolved his 2d. Parliament.

2. *Buckingham* had not learned the Verse which is taught to every School-boy, *Quum fueris Romæ, Romano vivito more*, for being French bred, he appeared in a French Garb, (most hateful to the Spaniards,) and by his familiarity with the Prince, he seemed rather the Prince's Guardian and Companion, than follower, which disrelished the Court of Spain, and the Spaniards in general, who are grave, sober and wary.

3. He, by contrary Methods, opposed all the Earl of *Bristol's* Methods, nay, fell at odds with him, tho', without comparison, he was the ablest States-man in all King *James* his Counsels.

4. Whereas all other Ambassadors and States-men, in all great Affairs, make their Court to the King's Council, and prime Ministers of State, to attain their Ends, *Buckingham* fell at open Defiance with *Olivares* (prime Minister of State in Spain) and it was generally said, made his Court to the Countess, which she acquainted her Husband with, and instead of the Countess, put a tainted Whore to bed with him.

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5. The Earl of *Bristol*, in the 9th. Article of his Charge against him, shews what a Scandal *Buckingham* gave by his personal behaviour in *Spain*; and also employing his power with the King of *Spain* for procuring Favours and Offices, which he bestowed upon base and unworthy Persons, for the Recompense and Hire of his Lust. These things as fit neither for the Earl of *Bristol* to speak, nor the Lords to hear, he left to their Lordships Wisdom, how far they please to have them examined. It having been a great Infamy to this Nation, that a Person of the Duke's great Quality and Employments, a Privy-Councillor, an Ambassador, eminent in his Majesty's favour, and solely in trust with the Prince, should leave behind him in a foreign Court so much scandal, as he did by his ill behaviour.

6. The Earl of *Bristol*'s 6th. Article against *Buckingham* is, That his Behaviour in *Spain* was such, that he thereby so incensed the King of *Spain*, and his Ministers, that they would admit of no reconciliation, nor farther Dealings with him: Whereupon he seeing the said Match would be to his prejudice, he endeavoured to break it, not for any service to the Kingdom, nor of the Match it self; nor for that he had found (as since he pretended) the *Spaniards* did not really intend the said Match, but out of his particular Ends and Indignation: And the 7th. Article says.

7th. That after he intended to cross the said Match, he put in Practice divers undue Courses, as making use of the Princes Letters to his own Ends, and not as they were intended; as likewise of concealing things of high Importance to the King (*James*) and thereby to overthrow the Kings Purposes, and advance his own Ends.

Nor had my Lord Keeper *Williams* any better luck in this adventure of *Buckingham's* than the Earl of *Bristol* or *Olivares* ; for tho' the Princes going into *Spain*, were concealed from the Keeper as well as Council ; yet after the Duke was gone, the Keepers Letters followed him to *Madrid*, wherein the keeper advised him to be Circumspect in all his Actions, that no offence might be taken at any of them by the King and Ministers of *Spain*, and to be advised by the Earl of *Bristol*, not only as a most able States-man, but above all others, the most experienced in the Manners of the Spaniards and Court of *Spain* ; but this *Buckingham* took as ill manners in the keeper, and was on occasion of his quarrelling with him, as you may read in the Life of the Lord Keeper, written by the Bishop of *Litchfield* and *Coventry*.

But neither the danger of the Prince in *Spain*, nor the cross-grain'd going of the Match, any ways abated the Kings Favour to his beloved scholar and Disciple *Buckingham* ; but he sent after him the Patent of being Created a Duke, there being not another of *England* : So that now he is become Duke, Marquis and Earl of *Buckingham*, Earl of *Coventry*, Viscount *Villiers* Baron of *Whaddon*, great Admiral of the Kingdoms of *England*, and *Ireland*, and the principality of *Wales*, and of the Dominions and Islands of the same, of the Town of *Calais*, and of the Marches of the same, and of *Normandy*, *Gascoyn* and *Guienne*, General Governour of the Seas and Ships of the Kingdom, Master of the Horse to the King, Lord Warden, Chancellor and Admiral of the Cinque Ports, and of the Members of the same ;

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Constable of *Dover Castle*, Justice in Eyre of the Forests and Chases on this side of *Trent*, Constable of the Castle of *Windsor*, Gentleman of his Majesties Bed-chamber, one of his Majesties most Honourable Privy-Council in his Realms of *England*, *Scotland* and *Ireland*, and Knight of the most Honourable Order of the Garter.

But tho' all others worshipped this prodigious Favourite; yet Arch-Bishop *Abbot* (a Prelate of Primitive Sanctity and Integrity) would not flatter neither the King nor his Favourite in the Courses, so dangerous to the Church and State, and dishonourable to the King; and tho' in disgrace he Wrote this following Letter to the King which you may Read in *Rushworth fol. 85*.

May it please your Majesty,

I Have been too long silent, and am afraid by my silence I have neglected the Duty of the Place it has pleased God to call me unto, and your Majesty to place me in: But now I humbly crave leave I may discharge my Conscience towards God, and my Duty to your Majesty; and therefore freely to give me leave to deliver my self, and then let your Majesty do what you please. Your Majesty hath propounded a toleration of Religion, I beseech you to take into your consideration, what that Act is, what the Consequence may be; By your Act you have brought to set up the most Damnable and Heretical Doctrin of the Church of *Rome*, the Whore of *Babylon*: How hateful will it be to God, and how grievous to your Subjects, the Professors of the Gospel? that your Majesty, who hath so often

men and Learnedly Disputed and Written against those Heresies, should now shew your self a Patron of those wicked Doctrines, which your Pen hath to the World, and your Conscience tells your self are Superstitious, Idolatrous, and Detestable; and hereto I add what you have done by sending the Prince into *Spain*, without the Consent of your Council, the privity or approbation of your people; and altho' you have a Charge and Interest in the Prince as the Son of your Flesh; yet have the People a greater, as Son of the Kingdom, upon whom next after your Majesty, are their Eyes fixed, and their Welfare depends, and so tenderly is his going apprehended, (as I believe) however his return may be safe; yet the drawers of him into this Action, so dangerous to himself, so desperate to the Kingdom, will not pass away unquestion'd and unpunished; Besides the Toleration which you endeavour to set up by your Proclamation, cannot be without a Parliament, unless your Majesty will let your Subjects see that you will take to your self the ability to throw down the Laws of the Land at your pleasure. What dread Consequence these things may draw afterwards, I beseech your Majesty to consider, and above all, lest by this Toleration and discountenancing the true Profession of the Gospel, wherewith God hath blest us, and this Kingdom hath so long Flourished under it, your Majesty doth not draw upon this Kingdom in general, and your self in particular, God's Wrath and Indignation.

I have heard my Father say, that King *James* kept a Fool called *Archy*, (if he were not more knave)

knave) whom the Courtiers, when the King was at any time thoughtful or serious, would bring in with his Antick Gestures and sayings, to pull him out of it. In one of these Moods of the Kings, in comes *Archy*, and tells the King he will change Caps with him; why says the King, Who, who, replies *Archy*, sent the Prince into Spain. But what, said the King, wilt thou say, if the Prince comes back again? Why then said *Archy*, I will take my Cap from thy Head, and send it to the King of *Spain*? which, was said, troubled the King sore.

But if we look back into *Spain*, we shall find things of another complexion, then when *Buckingham* came into it: For now he is disgusted, and puts the Prince quite out of the Match, as though all things were agreed, upon the coming of the dispensation from *Rome*, so as King *James* said all the Devils in Hell could not breake the Match, (yet his Disciple and Scholar could) though the Duke had Certified the King the Match was brought to a happy conclusion, and the Match was publicly declar'd in *Spain*, and the Prince permitted free Access to the *Infanta* in the presence of the King, and the *Infanta* was generally Stiled the Princess of *England*; and in *England* a Chapel was Building for her at St. *James's*, and the King had prepared a Fleet to fetch her into *England* which only proved to bring back his Son.

How things (especially actuated by Love) should stay here may seem strange; yet such an Ascendant had *Buckingham* over the Prince, that the affront put upon him (*Buckingham*) must quite overcome the Princes vowed Love and Affection to the

Infanta

Infanta; but how to prevail with King *James* to comply, might have an appearance of some difficulty, since the King had set his rest upon it, and had quarrelled with the Parliament, and Dissolv'd them in great Anger and Fury, for but mentioning it.

After the Duke had gained the Prince to break, or at least not to observe the Conditions of the Treaty of the Marriage with the *Infanta*, so solemnly sworn to by both the Kings and the Prince; lets now see how he behaved himself to King *James* afterwards; but this will be better understood, if we look back, and see how things stood before the Princes and Dukes arrival in Spain.

The Princes going into Spain, was not only kept secret from King *James* his Council, but from my Lord Keeper *Williams*, tho' the King confided in his Abilities above all the other of his Council; but when it had taken vent, the King asked the Keeper what he thought, *Whether the Knight Errant's Pilgrimage*, (meaning the Princes) would prove lucky to win the Spanish Lady, and to convey her shortly into England, Sir, answered my Lord Keeper, If my Lord Marquiss will give honour to Conde Duke Olivares, and remember he is the Favourite of Spain; or if Olivares, will shew honourable Civility to my Lord Marquiss, remembering he is Favourite of England, the Wooing may be prosperous; but if my Lord Marquiss should forget where he is, and not stoop to Olivares; or if Olivares, forgetting what Guest he hath received with the Prince, bear himself haughtily, and like a Castilian to my Lord Marquiss, the Provocation may be dangerous to cross your Majesties good Intentions; and I pray God, that either he, or both do not run into that Error. The

The Answer of the Keeper took such impression upon the King, that he asked the Keeper, if he had wrote to his Son and the Marquiss clearly, and upon what Guard he should stand. *Yes*, said the Keeper, *and to that purpose, I have dispatched some Pacquets: Then continue*, says the King, *to help me and them in those Difficulties, with your best Power and Abilities, and serve me faithfully in this Motion which like the highest Orb, carries all my Raccalls, my Counsels at present, and my Prospects upon the future with it, and I will never part with you: Which you may read in the first part of the Keeper's Life, folio 115. tit. 127.*

The Keeper hereupon continues to prosecute this Advice to the Marquiss, (after Duke) but hereby lost the Duke's favour, who ever after sought all means to ruine the Keeper which though he could not effect in King James his Reign, he did it in the first Year of his Sons.

But when the King understood, that the Contraventions of the Duke, with Olivares and Bristol was like to make a Rupture in the Treaty, he then began seriously to consider with himself the fickle state he stood in both at home and abroad, if the Marriage succeeded not; all the two Subsidies he had granted him by the Parliament; and the Benevolence he had raised after upon his Subjects by his own Authority, was expended, and a great Debt contracted besides; he also besides the Benevolence, stood upon ill Terms with his Subjects, for petitioning him against the Spanish Match, and asserting their Privileges, by imprisoning them after he had dissolved the Parliament, the like whereof was never before done by any of his

Predecessors : And now *Buckingham* had so violently caused a Rupture of the Match wherein he placed his sole felicity, he had not courage so much as to frown upon him, who could contribute no relief, whereas he dissolved the Parliament, and imprisoned the Members, upon their Advice against the Match, who could have relieved him in his Necessities ; besides he now saw that *Buckingham*, by his Audacity, more worshiped the Sun in its rise, than in its declination: Now did he not know to whom he should complain, nor was there any about him, but the Keeper, who durst give him any Advice.

In Case a Rupture hapned, the King after all this wild Expence of foreign Embassies, and the Charge of his Son's Voyage to *Spain*, would be despised by all foreign Princes and States, in case he did not endeavour to recover his Son-in-law's Patrimony, which would, in all appearance, bring on a War between him, and the Emperor, and King of *Spain*, who kept nothing from him, and therefore had no just Cause to make War upon either.

Besides, in case the King made War for the Recovery of the *Palatinate*, he could not hope to do it upon his own single account, but in conjunction with foreign Confederates ; and above all with the States of the *United Netherlands*, (who now had renewed the War against the King of *Spain*, the Truce made between them and the King of *Spain* in 1609, being expired.) But how unjust would this be, for the King to make War upon the Emperor, and King of *Spain*, who kept nothing from him, and join with the *Dutch* herein,

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who against the Treary made between the King and them, but three Years before, viz. in 1619, kept from the King and his Subjects, the Isles of *Amboyna, Seran, Nero, Waire, Rosingen, Latro, Cambello, Mitto, Larica, Lantare, Polaway, and Machasser* in the *East Indies*, and *Cabo de Bon Esperanza* in *Africk*: But the impolicy of such an Alliance would be as great, as the injustice of it, for hereby the *English* must lose the benefit of the *Spanish* Trade, which above all others enriched the Nation and the King his Customs, which above any other did arise from it.

These Considerations fixed in the King's fearful Mind of any War, so cleft his heart, That as the Bishop of *Litchfield* observes, *he effected neither, yet he Submitted himself to be ruled by some, whom he should have awed by his Authority, but wanted Courage to bow them to his Bent.* A Prince that preserves the rights of his Dignity, and the Majesty of his Throne, is a Servant to some, but a Friend to none, and least to himself, as you may see in his Book, fol. 167. in 173.

In these Perplexities, the King saw no visible means under Heaven to relieve him, but by closing with his next Parliament, and it was observed, That some Impressions were gotten into the King's Mind, that he was so resolved to be a lover of Parliaments, that he would close with the next that was called; nor was there any likelihood that any Man's incolumity, tho' it were his Grace himself, should cause an unkind Breach between him and his People.

This Resolution of the Kings, was not concealed from a Cabinet, or Cabal of the Dukes which

met at *Wallingford-house*, who hereupon set up to consider, what Exploit the Duke should commence to be the Darling of the Commons, and as it were to republicate his Lordship, and to be precious to those, who had the Vogue to be the chief Lovers of their Country; and resolve that all Attempts would be in vain, unless the Treaty of the *Spanish Match* were quasht, and that the Breach thereof should fall upon the Duke's Industry; so that what the Duke did before in spite to *Olivares* and *Bristol*, he now pursues for his own safety, though the King had little reason to thank him for it. See the 1st. part, fol. 137. tit. 147. And this took such impression in the Duke, that the Bishop heard the Duke, afterward in the Banqueting-House, before the King and both Houses of Parliament, ascribe to himself the sole Glory of breaking the *Spanish Match*; and you will soon see how the Prince and Duke, after their return from *Spain*, over-awed the King, and made his Authority bow to their bent; for notwithstanding *Buckingham* blasted all the *Rac-caltas* of his Counsels, and the prospect of his future happiness placed in the *Spanish Match*, yet he shall become the Duke's Advocate herein, and note his Fideliry, Constancy and Conduct in breaking it off; and from his Disciple become his Master, and teach him, that *Dolosus versatur in Generalibus*, and also keep back the Earl of *Bristol* from comming to the Parliament, that he might not spoil the fine Tale the Duke had told; yet at other times the King would say, *If he had sent Williams into Spain with his Son, he had Kept Heart-ease and Honour both, which he lacked.* See the first part of the Bishop of *Litchfield*, fol. 168. tit. 174.

The Duke thus doubly resolved to brake the Spanish Match, and to dispose the King James to it, the Prince writes to him, *That he must look upon his Sister (the Queen of Bohemia) and her Children, never thinking more of him, and forgetting he ever had such a Son.* Tho' it be evident the Generous Spaniards were far enough from entertaining such a thought; however Buckingham's Behaviour might have prompted them to it, that by the Authority of the Bishop of *Litchfield* and *Rushworth*, they entertain'd him with all imaginable esteem, as a truly Noble, Discreet and well-deserving Prince; however the Prince himself had given them cause sufficient to have detained him, if the Prudence of *Bristol* had not been greater than Buckingham's Rashness and Zeal to break off the Match, solemnly Sworn to by the Prince and Buckingham himself, and this upon the day when the Prince parted from the King of Spain from the *Escorial*, as you may see in the Bishop of *Litchfield's* Life of Doctor *Williams*, and *Rushworth*. fol. 284, 285.

For tho' the King of Spain and the Prince had solemnly sworn to accomplish the Marriage, and to make the Espousals within Ten Days after the Ratifications should come from *Rome*, to which purpose the Prince made a *Procuracion* to the King of Spain and *Don Carles* his Brother to make the Espousals in his Name; and left it in the Earl of *Bristol's* hands; yet he (the Prince) left in the Hand of one of the Duke's Creatures Mr. *Edward Clarke*, a private Instrument, with Instructions to the Earl of *Bristol*, to stay the delivery of the *Procuracions* till farther direction from him. But when this pri-

vate Instrument was delivered to *Bristol*, he told *Buckingham's* Favourite, that it must for a time be concealed, lest the *Spaniard* coming to the knowledge of it, should give order to stay the Prince. So that the Duke left the Earls Instructions as Perplexed and Confounded when he went out of *Spain*; as he had made the Treaty of Marriage when he came into it.

The Temper and Dissimulation of the Duke is so strange at his taking leave of *Olivares*, as is I believe without all example, and also without any Care of the safety of the Prince, for the Duke told him, after he had delivered the Instrument to stay the Delivery of the Proxy; that he was obliged to the King and Queen and *Infanta* in eternal tie of Gratitude, and that he would be an everlasting Servant to them, and endeavour to do the best Offices for concluding the Match, and strengthening the Amity between the two Crowns, but as for himself (*Olivares*) he had so disobliged him, that he could not without flattery, make the least profession of Friendship to him.

Nor was the Ingratitude and dissimulation of the Prince less than that of *Buckingham*, for when the King of *Spain* had brought the Prince to the *Escorial*; where the Prince and Duke (after the delivery of the Instrument for staying the Proxy) solemnly swore the Treaty of Marriage; as you may read *Rushworth fol. 285.* and the King and Prince had sworn a perpetual League of Friendship, as the Bishop of *Litchfield* says: The King at their departure declared the Obligation which the Prince had put upon him (the King) by putting himself into his Hands, a thing unusu-

al with Princes, and protested that he earnestly desir'd a nearer Conjunction of Brotherly Affection, for the more intire Unity between them. The Prince answered him; Magnifying the high Favour which he had found during his stay in his Court and Presence, which had begotten such an Estimation of his Worth, that he knew not how to value it, but would leave a *Mediatrice* to supply his own defects, if he (the King) would make him so happy as to continue him (the Prince) in the good opinion of her his most Dear Mistress. Yet the Prince so soon as he came on Shipboard, was observ'd to say, *That it was a great weakness and folly in the Spaniards, after they had us'd him so ill, to grant him a free departure; and soon you'l see both the Prince and the Duke urge the King (James) to break off the Match so solemnly Sworn by them all, and make War upon the Spaniards, which was so dangerous to the Parliament to mention.*

Having thus taken a View of the Dukes Prudence and deep Insight in Mysteries of State in managing this Match, where King James's Proclamation could not restrain Men from talking of State-affairs; we will now take a View of the Dukes Profession in Religion, that another may better judge, whether he were more Eminent in Religion or State-Policy, and herein I will take the Earl of *Bristol's* Charge upon him to be a full proof, since the Earl answer'd the Duke's Charges against him twice, first before King James, and afterward in Parliament in the 2d. of King Charles, without any Reply; and King Charles his Dissolving the Parliament rather than the Duke should come to a Tryal upon the Articles which the Earl Exhibited against him.

1. The Earl in the said Article charges the Duke, that he did secretly Combine with the Conde of Gondamour Ambassador from the King of Spain Anno 1622. to carry the Prince into Spain, to the end he might be informed in the *Roman* Religion, and thereby have perverted the Prince and Subverted the true Religion established in *England*.

2. That Mr. Porter was made acquainted therewith, and sent into Spain, and such Messages at his return framed, as might serve for a Ground to set on foot this Conspiracy, the which was done accordingly, and thereby the King and Prince highly abused, and their Consents thereby gotten for the said Journey, viz. after the return of the said Mr. Porter, which was about the latter end of *December* or beginning of *January* 1622. whereas the Duke Plotted it many Months before.

3. That the Duke at his Arrival in Spain, nourished the *Spanish* Ministers, not only in the belief of his being Popishly affected, but did (both by absenting himself from all Exercises of Religion constantly used in the Earl of *Bristol's* House, and frequented by all other Protestant *English*, and by Conforming himself to please the *Spaniards* in divers Rites of their Religion, even so far as to kneel and Adore the Sacrament) from time to time give the *Spaniards* hopes of the Princes Conversion, the which he endeavoured to procure by all Means possible ; and thereby caused the *Spanish* Ministers to propound far worse Conditions for Religion then had been propounded by the Earl, and Sir *Walter Ashton* settled and Signed under the King and Princes Hand, with a Clause of the King of

Spain's Answer, the 12th. of *December* in 1622, that they they held the Articles agreed upon sufficient, and such as ought to induce the Pope to the granting of the Dispensation.

4. That the Duke having several times moved and pressed the King (*James*) at the Instance of the Conde of Gondamour, in the presence of the Earl of *Bristol*, to write a Letter to the Pope, and to that purpose, having once brought a Letter ready drawn, wherewith the Earl of *Bristol*, by his Majesty being made acquainted, did so strongly oppose the writing any such Letter, that during the abode of the said Earl in *England*, the Duke could never obtain it ; but not long after the Earl was gone, he (the Duke) procured such a Letter to be written from the King (*James*) to the Pope, and to have him stiled *Sanctissime Pater*.

5. That the Pope being informed of the Duke's Inclination and Intention in point of Religion, sent unto him a particular *Bull* in parchment, for to perswade and encourage him in the perversion of the Prince.

But how steady soever the Duke was in his *French* Garb in *Spain*, and of compliance with the *Spaniard* in the popish Religion ; yet he was not so when he returned into *England*, for then he turns quite contrary, and assumes a popular way, and joins with the Prince, and thereby over-rule the King as they pleased, and close with the Nobility, and *Puritan*-party, opposite to *Spain* : As you may read in *Rusworth*, fol. 107.

Nor was the Duke's Coverousness, and sacrilegious Desires of robbing the Church's Patrimony, less than his hypocrisy in Religion, for whilst

he was in this Godly fit, he Treats with Dr, *John Preston* (Head of the Presbyterian Party) how the King might seize the Dean and Chapters Lands, as you may read in the Bishop of *Litchfield's* Life of Doctor *Williams*. 1. Part fol. 202.

After the return of the Prince and Duke into *England*, and *Bristol* left in *Spain*, both contrive how to ruine the Earl of *Bristol*, bound up with contrary Instructions ; and to dissolve the Princes Match with the *Infanta*, so solemnly Sworn by both Kings, and the Prince , and could find no other pretence to do it ; but by the Kings Letter to the Earl of *Bristol*, before he delivered the Powers for Consummating the Marriage, to procure from the King of *Spain*, either by Publick Act, or under his Hand and Seal, a direct Engagement for the restitution of the *Palatinate* and Electoral Dignity , by Mediation or Assistance of Arms ; but in regard this must be now Insisted upon, let's see how this stood, during the Treaty.

In all the Treaty for this Match, the restitution of the *Palatinate* was laid aside, as *Rushworth* observes. fol. 91. and my Lord of *Bristol* in his Defence against the Dukes or Kings Charge, fol. 302. says, That his instructions from King *James* the 14th. of *March* 1621. were expresse, that he should not make the business of the *Palatinate* a condition of the Marriage ; and that of the Kings of the 30th. of *December* 1623. (I think it was 1622.) were fully to the same Effect : But now the whole Treaty which was so solemnly agreed upon and Sworn to by both Kings and the Prince, and that the
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Marriage should be Consummate within 10 Days after the Dispensation came from *Rome*, which it did about the beginning of *December* 1623. must be all dash without the Restitution of the *Palatinate*, to his Country and Electoral Dignity, which being perplext with such variety of Interests, as the Duke of *Bavaria's* having possess himself of the upper *Palatinate*; and the Restitution of the *Palgrave*, being an Act of the Emperor and Empire, was not in the King of *Spain's* Power: Nay the *Proxies* left with the Earl, would not admit of a Treaty in this Case, for the Marriage was to be Consummate within 10 Days after the arrival of the Dispensation from *Rome*.

The Earl of *Bristol* for not obtaining these new, impossible and inconsistent Conditions, is recalled from his Embassy, a new Treaty of Marriage between the Prince and the Princess *Henrietta Maria*, Youngest Daughter of *Henry* the Fourth of *France*, is as suddenly set on Foot, as that of *Spain*, abruptly broke off, & by this time the King of *Spain* and the Earl, had frequent advice of the Prince and Duke's designs to ruine the Earl. The King of *Spain* therefore made a threefold proffer to the Earl, either to write to the King (*James*) and if need were to send a particular Ambassador, to mediate for him, to satisfy the Earls Fidelity and Exactness in all the Treaty; or to make him a Blank, wherein the Earl should set down his own Conditions both in Title and Honour in *Spain*, whereunto the Earl answered: He was sorry and afflicted to hear such Language, and desir'd they should understand, that neither the King, nor *Spain*, were beholding to him: For whatever he had

had done, he thought fit to do for his Master's Service, and his own honour, having no Relation to *Spain*; and that he served a Master, from whom he was assured both of Justice and due Reward; nothing doubting but his own Innocence would prevail, against the Wrong intended by his powerful Adversaries; and were he sure to run into eminent danger, he had rather go home and cast himself at his Majesty's Feet and Mercy, and therein comply with the Duty and Honour of a faithful Subject, though it should cost him his head, than be Duke, or *Infantado* of *Spain*; and that with this Resolution, he would employ the utmost of his power to maintain the Amity of the two Crowns, and to serve his Catholick Majesty; and thirdly, the King of *Spain* desired him in private to take 10000 Crowns to bear his Charges: But the Earl answered one would know it, viz. The Earl of *Bristol*, who would reveal it to his Majesty (King *James*.) Now if any Man can shew in any Authority Ancient or Modern, wherein a Treaty of this Nature were thus began, thus managed, and thus broken of: wherein a Noble Lady of highest Birth and noblest Fortune; adorned with all the Excellencies of Beauty in her Person, and the more excelling Virtues of her Mind, in all the perfections requisite in her Sex, was thus baulkt, and see her self made a Stale, to advance the Avarice and covetous Desires of others, he shall be my great *Apollo*. So we'll leave this Affair here, and see what comfort King *James* had of his Affairs elsewhere.

In the Year 1619, King *James*, and the Dutch States, entered into, and concluded a Treaty of Trade between the *English* and *Dutch* in the *East-Indies*;

Indies; at this time, and for many Years before, the *English* had at *Amboyna* (one of the *Scynde*, or *Setibe* Islands lying near *Seran*, which had several smaller Islands depending upon it) five several Factories, two at *Hitto* and *Lerico*, and two at *Lam* and *Cambello*, in the Island of *Seran*, but the principal of them was at *Amboyna*: *Amboyna* was, and is the principal place in all the *East Indies*, where *Nutmegs*, *Mace*, *Cinnamon*, *Cloves* and *Spice* grow, and from these Factories the *English* supplied, not only *England* and *Europe* with *Spice*, but *Persia*, *Japan*, and other Countries in the *East Indies*.

The Treaty of Commerce between the King and the *Dutch* States, was scarce three Years old when the *Dutch*, in the *East Indies*, contrive how they may dispossess the *English* of the *Spice Trade*, which above all others, is the best in the *East Indies*, at least which was then, or now is known. It seems says my Author *William de Britain*, in his Treatise of the *Dutch* Usurpation, fol. 14. that the *English* in all these Islands were better beloved than the *Dutch*, and had built a Fortrefs in *Amboyna* for the safety of Trade, which the *Dutch* having Two hundred Soldiers there, forced from the *English*; and thereupon feigning a Plot between the *English* and *Japoneffes*, (I think he means the Natives of *Amboyna*) to betray the Fortrefs again to the *English*, the *Dutch* with Fire and Water in an horrible manner, Massacred many *English* and seized upon the *English* Factories there to the value of Four hundred thousand Pounds, and made the rest of the *English* slaves, and sent them into other Islands, which the *Dutch* had possessed themselves of: This was in the Year 1622.

Nor did the *Dutch* stay here, but seized upon the *English* Factories in *Seran*, *Nero*, *Waire*, *Rosingen*, *Lastro*, *Cambello*, *Nitto*, *Larica*, *Lantare* and *Poloroone*, possessing themselves of their Goods and Factories there, and took 1800 *English*, which they sent into other Islands and Plantations, which they had forced from the *Indians*.

Let's see now how highly King *James* resented these things ; he only sent to the *Dutch* Ambassador, and told him, *He never heard, nor read a more cruel and impious Act than that of Amboyna : But I do forgive them, and I hope God will, but my Son's son shall revenge this Blood, and punish this horrid Massacre;* nor never further vindicated his own Honour, or his Subjects Blood, and loss of their Goods and Trade herein. Whereas about a Year before, when he heard of the Commons horrid Invasion upon his Prerogative, by Asserting their Rights and Privileges ; in a fury he dissolves the Parliament, and sick as he was, (or seemed to be) to the indangering of his Health, he came in a hurry from *Theobalds*, calls his Council and Judges about him, and *propria Manu*, cut the Commons Protestation out of their Journal-Book, and committed many of their Members close Prisoners without *Bail* or *Main-prize*, and Banished others.

That we may take a better view of the latter end of this Reign, and the following one of King *Charles*, it will be convenient to look into *Holland* ; and herein observe, That *Barmvelt* and the *Dutch* States, after they had retrieved their Cautionary Towns from King *James*, *Barmvelt*, assisted by *Hugo Grotius*, nourished a Faction in *Holland*, called the *Arminian*, from *Arminius*, who maintained 5 Heads,
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contrary to what *Calvin* had taught in his Institutions, which was the Doctrine of the Church set up in *Holland*, and the other United Provinces: By this Faction thus countenanced by *Barnvelt* and *Grotius*, they endeavoured to have deposed *Maurice*, Prince of *Orange*, Stateholder, though he, and his Father and Uncles were the principal Instruments, whereby the Dutch became States: But *Maurice* proved too hard for them, and cut off *Barnvelt's* head, and had hanged *Grotius*, if his Wife had not conveyed him away in a great Chest, pretending it contained *Arminian* Books: This was in the Year 1620.

Tho' *Barnvelt* and *Grotius* propagated the *Arminian* Tenets, to have Deposed the Prince of *Orange*, and advanced their Democratical Government, yet the Church-men of *England* who preached the King's Absolute-Power, and exalted his divine Will from the Laws and Constitutions of the Nation; above his Royal Will in Governing by them promoted these Tenets, and those that opposed them were stiled *Puritans*.

The principal Stickler herein was Dr. *William Laud*, a Man of a most turbulent and aspiring Disposition; and one of the first Acts which he took was taken notice of was, to marry the Earl of *Devonshire* to the Lady *Rich*, (Mother to Robert Earl of *Warwick*, and *Henry*, Earl of *Holland*, when her Husband was alive, but this was so far from advancing him, that the King was highly incensed against him for it.

Yet *Laud's* aspiring Humour could not contain him in a private State, but follow the Court he would, yet could never arrive higher than to be

one of the King's Chaplains, by means whereof he sometimes got the King's Ear. The King hated the *Presbyterian* Government, and had got the Bishops in *Scotland* to be re-ordained, by three of the *English* Bishops, as a *distinct Order*, which the Kirk in *Scotland* took for an abominable Usurpation over them; and also in the Year 1618, got the 5 Articles (commonly called *The Five Articles of Perth*,) to be settled, as more agreeable to the Doctrine and Discipline of the Church of *England*, but this was to the further Indignation of the Kirk-party, and herein King *James* set up his rest, having gained an high Point; but though the King hated the *Presbyterian* Government, yet he opposed the *Arminian* Tenets.

Archbishop *Abbot* observed of him, when he was at Court, he was *Buckingham's* only inward Counsellor, sitting sometimes with him privately whole hours, and feeding his Humor with Malice and Spite; and when he was at *Oxford*, his business was to pick Quarrels in the Lectures of publick Readers, and to advertise them to the Bishop of *Durham*, *Neal*, (the great Countenancer of the *Arminian* Tenets and promoter of the King's Preogative) that he might fill the Ears of King *James* with Discontents, against the honest Men that took pains in their Places, and settled the Truth which he called *Puritanism*) in their Auditors: as you may read in *Rush. fol. 444.*

Nor could *Laud* forbear when he could get the King's Ear, but he urged him more than once, to promote the Doctrine and Discipline in the Church of *Eng. in Scotland* after the obtaining the passing of the five Articles at *Perth*; this frightened King *James*, who

who better knew the Temper of his Country-men, and how difficultly he had got the Articles of *Pertb* to pass, that *Laud* ignorant of the Temper of the *Scottish* Nation, should be so audacious, to put the King upon this (as it after did) which might imbroil all *Scotland* in Tumults and Wars, and now becomes more averse to *Laud's* promotion than before.

But this was no consideration to *Buckingham*, whether the King would or not, *Laud* should rise; and soon after *Williams* was made Lord Keeper, the Bishoprick of *St. Davids* fell, and *Buckingham* resolved *Laud* should have it, and the Keeper must be the Man to propound it to the King, and receive no Denial: *Williams*, who knew the disposal of the Seal, was as *Buckingham* pleased, durst do no otherwise, and became *Laud's* Advocate to the King; but the King was at first utterly averse from it, giving *Laud's* Marriage of the Lady *Rich*, and his urging the King not to rest at the 5 Articles of *Pertb*, for some Reasons; but the Keeper persisting, and alleadging how sorry *Laud* was for these, the King at last said, *And is there is no Woe, but you will carry it, then take him to you, but on my Soul you will repent it*, and so went away in anger, using other fierce and ominous Words, which were divulged in Court, and are too tart to be repeated, as you may read, fol. 64. tit. 75. in the Life of Archbishop *Williams*.

Its observable that benefits Conferred upon ambitious Men, never create any Obligation of Gratitude; on the contrary, ill Men generally turn the Benefits received to the ruine and overthrow of their Benefactors; more likely Instances hereof are

are rarely to be found than in *Laud* and *Buckingham*; this having received his first admission into the Kings Favour by the Mediation of the Arch-bishop to the Queen *Anne*, none else being able to persuade her to it; yet before the Arch-Bishop could bring the Queen to it, she often told him: *My Lord, you and the rest of your Friends, know not what you do, I know your Master (the King) better then you all, for if this young Man be once brought in, the first Persons that he will Plague, must be you, that labour for him; yea I shall have my part also, the King will teach him to Despise and hardly intreat us all, that he may be beholden to none but himself, as you may see in Rusſworth fol. 460. and the ways Buckingham took to ruine the Arch-Bishop, you may read in his own Narrative in Rusſworth from fol. 438. to fol. 461.*

But *Lauds* Contrivances to ruine *Williams* after Bishop of *Lincoln* takes up almost a Volume, reported by the Bishop of *Litchfield*, and by what villainous Instruments, Perjuries, Subornation, and keeping back of Witneſſes, expunging and racing Records, and by displacing Sir *Robert Heath* from being Lord Chief Justice, because he would not do *Lauds* druggery, and bringing in Sir *John Finch*, who would *Jurare in Verba Magistri*, as well as throw down the Bounds of the Forests to make the Kings Subjects Inheritances to be a Prey to Wild Beasts; yet after *Laud* had perpetrated all these, he confest he never read the Commission by which he Acted. See 2d. Part of the Bishop of *Lincoln's* Life.

However *Laud* could make no great Progress of his Malice against the keeper in the shortness of the Reign of King *James*, after he became Bishop : For the King had the Keepers Parts and Learning in high esteem, tho' *Buckingham* both hated and feared the Keeper for them, no great sign of a wise State-man. See the Bishop of *Litchfields* Life, of Arch-Bishop *Williams*, 1. Part fol. 148. tit. 156. and had so little wit as to say so; yet *Laud*, now a Bishop, from a Stickler and Informer against those who opposed the *Arminian* Tenents, now becomes a Patron and promoter of them, all Court Favour now looked that way, and the Opposers of them were discountenanced, and ranked in the degree of *Puritans*; all the Youth generally ran that way, and the Schools in both Universities Rung loud upon those Tenents, and from thence were dispersed into all Parts of the Kingdom.

The King having spent the two Subsidies, granted in Parliament, and the Benevolence, which he had by his own Authority raised all over *England*, for the recovery of the *Palatinate*, upon the Princes Expedition into *Spain*; *Buckingham* to his project of getting the Dean and Chapters Lands, propounds the Sale of all the Crown Lands; but this Meeting with many difficulties, and being diswaded from the farther Prosecution of it, by the powerful Reasons of my Kord Keeper *Williams*; There was now no other means left to get Money, but by Calling a Parliament, and now *Buckingham* Courts the Popular humour, and appears most forward, for to make appear in Parliament the reasons, which induced him to persuade the Prince

to break off from the March with *Spain*, which tho' it took at present, yet it was but short-liv'd : For the Treaty of the Marriage between the Prince and Daughter of *France* spoil'd all ; but this was not known, during the sitting of the Parliament, which met upon the 16th. of February 1624.

We hear of no Proclamation now, against talking of State-affairs, the debating of them in Parliament is not *Sutor ultra Crepidam*, on the contrary the King in his First Speech to them the 19th. of February, tells them he craves their advice, *And that he would advise with them in Matters concerning his Estate and Dignity, and that he had ever endeavoured by this and the like ways, to procure and Cherish the Love of his People towards him : So he does hope, and his hope is exceeded by Faith, that never any King was more beloved by his People, &c.* Let any Man compare this, with what the King said and did last Parliament, and after, and judge of the Sincerity of this Part of the Kings Speech ; especially when he remembred himself better, when in his Last Speech to this Parliament, he boasted he had broken the Necks of three Parliaments, which were all that were in his Reigr ; but this.

But these were but Generals, of which the King complains, afterwards having learnt it of his Scholar *Buckingham*, In particular he asks their free Counsels in the Match of his Son, but the debating of which last Parliament, gave him so great offence. Now at this time the King had broke off the Match in *Spain*, and was treating another with *France*, which was greedily entertained in the

French Court, and some Progress made in it, of which the King, never that I can find, or do believe, mention'd one word to the Parliament.

The next particular, which the King Communicated to them, was of his Scholar, but now his Master *Buckingham*, (in whom he (*the King*) ever reposed the most trust of his Person) that he should be ever present with the Prince in *Spain*, and never leave him till he returned again safely to him, which he did tho not with that effect of the business expected ; yet not altogether without Profit, for it taught him (*the King*) this Point of Wisdom, *Qui versatur in generalibus*, is easily deceived, and that Generality brings nothing to good issue, but that before any Matter can be fully finished, it must be brought to Particulars; for when he thought the affair had been before their going, produced to a narrow point, (*but there is no point in generalities*) relying upon their general propositions (*of which I do not find neither the King, nor the Prince or Buckingham after him named one*) I found when they came there, the matter proved so raw, as if it had never been Treated of, they generally giving them easy way to Evade, and affording them means to avoid the effecting of any thing: But it seems there were Particulars, which the King would not then discover, but left them to the Prince and *Buckingham* to relate.

As for a Toleration of the *Roman* Religion, as God shall Judge him, he said he never Thought nor Meant, nor never in Word expressed any thing that Savoured of it. *How was Arch-Bishop Abbot mistaken, when he wrote his diswaive Letter against the King's*

King's Proclamation for the Toleration of Religion to Roman Catholicks, Rushworth fol. 85. and how was my Lord Keeper Williams mistaken, when after the King had directed him, and other Commissioners, to draw up a Pardon for all Offences past by Roman Catholicks, with a Dispensation for those to come, Obnoxious to any Laws against Recusants, and then to issue forth two general Commands under the Great Seal; the one to all Judges and Justices of Peace, and the other to all Bishops, Chancellors and Commissioners, not to execute any Statute against them, and tho' the Keeper past the Pardon as fully and amply as the Papists could desire or Pen it; yet the Keeper put some stop to the vast Prohibition to the Judges and Bishops, for the reasons he gave, which you may read in Rushworth, fol. 101.

And as God was his Judge he never Thought, nor Meant, or ever in Word expressed any thing that Savoured of a Toleration of the Popish Religion: So God was his Judge, and he spake as a Christian King. Never any Waifaring Man, that was in the Desarts of Arabia, and in danger of Death, for want of Water to quench his Thirst, more desir'd Water, then he did thirst and desire the Good and Comfortable Success of this Parliament, and blessing upon their Councils, that the good issue of this, may expiate and acquit the fruitless issue of the former, and pray'd God their Counsels may advance Religion and the publick Weal, and they of him and his Children. You may read the Speech at Large in Rushworth fol. 115, 116, 117.

But tho' the King gloried that he had ever endeavoured to Procure and Cherish the Love of his
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People to him, which the Lords and Commons did represent ; yet the Commons could remember a time not out of mind with the King, for they chose that honourable Gentleman Sir *Thomas Crew*, newly returned from his Exile into *Ireland*, whither the King had sent him, as one of the ill-tempered Spirits, who advised him against the *Spanish Match*, and presumed to assert the privileges of the Commons, for their Speaker.

After the Ceremonies of opening the Parliament, and the Choice of a Speaker was over, the first thing that appeared upon the stage of Affairs, was the Narrative of the Proceedings in the *Spanish Match*, made by the Duke of *Buckingham*, and assisted by the Prince: Which you may read at large in *Rush.* from fol. 119. to 125.

I shall not discant upon this long Narrative, but leave the Answering of it to the Earl of *Bristol*, but only take notice of the Preamble of the third Article of the Duke's Narrative, and the latter part of the fourth.

The preamble of the 3d. Article is, *It is fit to observe this Passage, which is the thing whereupon all his Highnesses (the Prince's) subsequent Actions did depend: He had never staid a Sennight longer in Spain; he had never left any Proxy with Bristol; he had never taken the Oath at the Escorial; or ever so much as have written a Letter of Complement to the Lady, but that he had still before his Eyes, as his Cynosure, the Promise made by the Conde (I think the Duke meant Olivares) for the Restitution of the Palatinate.*

Why was this Treaty between K. *James* and the Conde? Or if the Restitution of the *Palatinate*, were the foundation upon which the whole Treaty moved,

red, why was it not so much as mentioned in all the Treaty, so solemnly sworn to by both Kings, the Prince and *Buckingham* himself: Nay, King *James* himself by two several Expresses to the Earl of *Bristol*, the first of the 14th of *May* 1621, and the other of the 30th. of *December* 1623. Comman- ded him, that he should not make the Business of the *Palatinate* a Condition of the Marriage, as you may read in *Rush. fol. 302.*

For the better understanding of *Buckingham's* Narrative in the fourth Article, it is fit to take notice, That the Reason in the Instrument for not pursuing the Proxies of the Marriage so solemnly sworn to by the Prince, and *Buckingham* himself; was not for the not Restitution of the *Palatinate*, but (forsooth) for fear the *Infanta* might retire into a Cloister, and so deprive the Prince of a Wife; tho' the *Infanta*, so far as the Gravity of the *Spaniards* would permit, ever expressed an entire Affection to the Prince; so that when the Prince took leave of the *Infanta*, she seemed to deliver up her Heart to him, in as high Expressions as that Language, and her Learning could with her Honour set forth; for when the Prince told her his Heart would never be out of Anxiety, till she had passed the intended Voyage, and were safe on the *British* Land: She answered with a modest blush, That if she were in danger upon the Ocean, or discomposed with the rowling brackish Waves, she should chear up her self, and remember all the way, to whom she was going: As you may read in the Life of *Williams*, Lord Keeper, fol. 161. tit. 168. and Mr. *Rush. fol. 104.* says, she caused many divine Duties to be performed for the Prince's return.

In the Proxies left with the Earl of *Bristol*, there was a Clause inserted, *De non revocando procuratore*, as much as to say, *irrevocable*: And because the Earl did in his Letter to the Prince of the first of *November* 1623, press this vehemently to the Prince, the Prince vowed openly before both Houses, that he had never by Oath nor Honour, engaged himself not to revoke those Powers, more than by the Clause *De non revocando procuratore*, inserted in the Instrument it self, and then he conceived the Clause to be matter of Form, and though essentially of no binding power, yet usually thrust into every such Instrument, and that the *Civilians* hold, That it is lawful by the Civil and Canon Law, for any Man to revoke his Proxy of Marriage, notwithstanding it hath the Clause *De non revocando procuratore* inserted in it: Therefore the Duke concluded, as to this Point, That the Earl of *Bristol*, in charging this Matter so highly upon the Prince, had much forgot himself.

Can any Man believe, that when the Prince made the Procuration to the King of *Spain*, and his Brother, to make his Espousals with the *Infanta* in his Name, and left it in the Earl of *Bristol*'s hands, with the Clause *De non Revocando procuratore*, that he then had consulted with the *Civilians*, that he might revoke it when he pleased; or that this Marriage nine Years in treating, was not founded upon the Honour and Oaths of the Kings, the Prince, and of *Buckingham* himself, but upon the Niceties and Quirks of the *Civilians*? Or did it become the Prince, or the Duke either, who when he parted from the King of *Spain* at the *Escorial*, solemnly to swear the Treaty of Marriage, and the furtherance of

it by all that was in his power, in the presence of the Earl of *Bristol*, and Sir *Walter Ashton*, as may read in *Rusworth*, fol. 285, and now in the presence of the King and Parliament, to plead a Nicety of the *Civilians*, to absolve the Prince and himself? Now let us see what the Earl of *Bristol* says for himself, for the Duke's Charge upon him, for proceedings upon this Match. His Reasons were,

1. For that he had a Warrant under the Prince's hand, for his Proceedings to consummate the Match.
2. It was the main Scope of his Embassy.
3. He was enjoined by the King and Princes Commission under the Great Seal.
4. He had positive Orders under his Majesty's hand (King *James*) since.
5. It was agreed by Capitulation, that it should be within so many days after the coming of the Dispensation.
6. The King (*James*) and Prince signified by their Letters to him, at the same time when they discharged him of his Commandment touching the *Infanta's* entering into Religion, that they intended to proceed in the Marriage, which Letters bear date the 8th of *October* 1623.
7. The *Proxies* were to that end left in his hands; and after again renewed, after the Prince's return into *England*.
8. That he (the Earl) had overthrown the Marriage without Order, for though Sir *Walter Aston*, and himself, had used all possible means for gaining time, and deferring the Desponsories, yet the King of *Spain* caused it to be protested, that in case the Earl should insist upon the deferring the Desponsories, he would free himself from the Treaty

Treaty by the Earl's infringing the Capitulation. And in truth, although the King of *Spain* should have condescended to have prolonged the Depositions until one of the Days of *Christmas*, as by the Letter was required ; yet the Prince's Proxies had been before that time expired, and he durst not without a precise Warrant put such a score upon so noble a Lady, whom he then conceived was like to have been the Prince's Wife, as to nominate a Day of Marriage, when the Proxies were out of date, and he himself had sworn to the Treaty.

9. He (the Earl) could not in Honour and Honesty, but endeavour to perform that publick Trust reposed in him, when the Proxies were deposited in his hands, with publick and legal Declaration, with an Instrument by a Secretary of State to the King of *Spain*, leading and directing the use of them, and the same being then *Instrumentum Stipulatum*, wherein as well the King of *Spain* was interested by the Acceptation of the Substitution, as the Prince by granting the Proxies, he could not in honesty fail the publick Trust, without clear and undoubted warrant, which so soon as he had, he obeyed. See *Rush. fol. 301, 302.*

The Duke's stating the Question, *Super totam Materiam*, was,

Whether this, being the full effect and product of this Negotiation, he had opened to them (the Parliament) be sufficient, *Super totam Materiam*, for his Majesty to rely upon with any safety ; as well for the Marriage of his only Son, as for the Releif of his only daughter : Or that these Treaties set aside, his Majesty were best to trust in his own strength,

length, and to stand upon his own feet. So the
 ended, that if the bringing us from Dark-
 to Light, did deserve any Thanks, we must
 wholly ascribe it to his highness the Prince.

Here is a Tale finely told *parte imaudita altera*,
 the Duke shall hear more of it, and indeed it
 is a Net so spread in the sight of every Bird,
 was a wonder it should catch any; for at this
 the Match was quite broke off with *Spain*,
 and another entered upon with *France*, when it
 must be supposed, forsooth, the *Spanish* Match was
 a Treaty, and now must be broken off by Advice
 of Parliament, which was before such a Mystery
 of State, as not to be meddled with in Parlia-
 ment.

But while the Prince and Duke were wrapt up
 in security of the Parliament, as well as the King's
 Affections, and that now the Duke was become,
 as well the People's, as the King's Favourite, a
 new Accident hapned, out of which, if the Prince
 and Duke had not been extricated, by the match-
 less Wit, and lively Industry of the Keeper, in all
 appearance it would have put both Prince and
 Duke out of the King's Favour and Affections;
 dissolved this beloved Parliament, and have brought
 such a train of mischievous Consequences, as
 could not have been foreseen, or prevented. I
 desire to be excused if I do not, cite the Bishop of
Litchfield's words, in the Life of the Lord Keeper,
 for I think the Case will more clearly appear
 without his paraphrases and glosses.

While the Marriage between the Prince and *In-
 fanta*, was in treaty, the King of *Spain*, sent *Don
 John*, Marquiss *Inoiosa*, his Ambassador to be Resi-
 dent

dent in *England*; a Man of true *Spanish* Gravity and severity, and a most rigid promoter of the Popish Interest in *England*: So that he was taken notice to be the most surly and unpleasing Man, that ever came to the Keeper about any business.

If this Man were thus during The Treaty, could not be expected he would become, better Natured upon the breaking of it; and the Duke of *Buckingham*, was as jealous of him, that he should Spoil the Narrative he had made of the Proceedings in the *Spanish* Match, as he was of the Earl of *Bristol*; and therefore would never admit the Marquis to have any private Audience of the King in the Duke's absence, so that Sir *Walter Aston* wrote from *Spain*, that it was complained of, that Marquis *Inoiosa*, had advertised thither he had not been able to procure a private Audience of the King though he often desired it, but what the Duke allowed at.

Inoiosa Impatient of any Longer delay, about the latter end of *April*, 1624; contrived this Expedient to put the following Paper into the King's hand; He, and *Don Carlo de Colonna*, came adventurously to *White-Hall*, and whilst *Don Carlo* held the Prince and Duke in earnest discourse, *Inoiosa* put this Paper into the King's hand with a Winck, that the King should put it into his pocket, wherein,

1. He terrifies the King, that he was not, or could not be acquainted with the passages either of his own Court, or of the Parliament, for he was kept from all faithful servants that would inform him, by the Ministers of the Prince and Duke; and that he was a Prisoner, as much as King *John* of *France*.

in *England*, or King *Francis* at *Madrid*, and
 could not be spoken with, but before such as watch-
 him.

2. That there was a strong and violent Machi-
 nation in hand, which had turned the Prince, a
 most obedient Son, to a quite contrary Course to
 his Majesty's Intentions.

3. That the Council began last Summer at *Ma-*
rid, but was lately resolved in *England* to restrain
 his Majesty from the Exercise of the Government
 of his Kingdoms, and that the Prince and Duke had
 designed such Commissioners under themselves, as
 should intend great Affairs, and the publick good.

4. That this should be effected by beginning
 a War, and keeping some Companies on Foot in
 this Land, whereby to constrain his Majesty to yeild
 to any thing; chiefly being brought into streights,
 for want of Monies to pay the Soldiers.

5. That the Prince and Duke inclosing his Maje-
 sty from the said Ambassador, and other of his own
 loyal People, that they might not come near in pri-
 vate, did argue in them a fear and distrust of a
 good Conscience.

6. That the Emissaries of the Duke, had brought
 his Majesty into Contempt with the potent Men of
 this Realm, traducing him for slothfull and unactive,
 for addiotion to an inglorious Peace, while the In-
 heritance of his Daughter, and her Children, are
 in the hands of his Foes; and this appear'd by a
 Letter which the Duke had writ into *Holland*, and
 they had intercepted.

7. That his Majesty's Honour, nay, his Crown
 and Safety did depend upon a sudden Dissolution of
 the Parliament.

8. They

8. They loaded the Duke with fundry M
meanors in *Spain*, and his violent opposition to
March.

9. That the Duke had divulged the King's
crets, and the close Designs between his Maje
and their Master King *Philip*, about the States
Holland, and their Provinces, and laboured to put
Majesty out of the good Opinion of the *Hollander*

10. That the Duke was guilty of most corru
dealing with the Ambassadors of divers Princes.

11. That all these things were carried on in t
Parliament, with an head-strong violence, and th
the Duke was cause of it, who courted them on
that were of troubled Humours.

12. That such bitterness and ignominies we
vented in Parliament against the King of *Spain*,
were against all good Manners, and the Honour o
the *English* Nation.

The 13. Is a flat Contradiction to the precedents
wherein they made the Prince privy to dangerous
things; yet in this they say, *That the Puritans* (o
whom the Duke was head) *did wish they could bring*
it about, that the Succession of the Kingdom might come
to the Prince Palatine, and his Children, in Right of the
Lady Elizabeth.

In a *Postscript*, the paper prayed the King, That
Don Francisco Carondelet, Secretary to the Marquis
Inoiosa, might be brought to the King, when the
Prince and Duke were sitting in the Lords House,
to satisfie such Doubts as the King might raise, which
was performed by the Earl of *Kelly*, who watcht a
fit Season at one time, for *Francisco*, and for *Padre*
Maestro, a Jesuite, at another time; who told their
Errand so spitefully, that the King was troubled at
their Relations.

How

How far the *Spanish* Ambassador, *Carondelet*, and the Jesuit *Maestro*, could make good this paper, I cannot tell, nor does the Bishop say, however the King was apprehensive, that the Parliament was solicitous to engage him in a War for the *Palatinate*, which he so dreaded, that as the Bishop says, he thought scarce any Mischief was so great, as was worth a War to mend it ; wherein the Prince did deviate from him, as likewise in his Affection to the *Spanish* Alliance. But he stuck at the Duke more, whom he defended in one part, to one of the *Spanish* Ministers, yet at the same time complained, *That he had noted in him a turbulent Spirit of late, and knew not how to mitigate it ; so that casting up the Summ, he doubted it might come to his turn to pay the Reckoning.*

These thoughts so wrought upon the King, that his Countenance fell suddenly, that he mused much in Silence, and that he entertained the Prince and Duke with mystical and broken Speeches ; this nettled them both, and enquiring the Reason they could not go further, than that they heard that the *Spanish* Secretary, and the Jesuit *Maestro*, had been with the King, and understood that some in the Ambassador's house had vaunted, that they had nettled the Duke, and that a Train would take fire shortly to blow up the Parliament.

In this perplexity, the King prepared to take Coach for *Windsor*, to shift ground for some better rest in this unrest, and took Coach at St. *James's* Gate, and the Prince with him, and found a slight Errand to leave *Buckingham* behind ; as the King was putting his foot into the Coach, with Tears in his Eyes, and humble prayer, the Duke besought

besought him, that his Majesty would let him know, what could be laid to his Charge to offer so good and Gracious a Master, and vowed, by the name of his Saviour he would purge it, or confess it: The King did not satisfy him, but breathed out his Disgust, that he was the unhappiest alive to be forsaken of them, that were dearest to him, which was uttered and received with Tear's from his own Eyes, as well as the Princes and Duke, and made hast to *Windsor*, leaving the Duke behind; this was upon *Saturday* at the end of *April*.

The Duke forlorn, retires to *Wallingford-House* and was in such Confusion and Distraction, that when my Lord Keeper, (who had notice of all these things; and was more careful of the Duke then he could be of himself) came to him, he found the Duke layd upon his Couch, in that immoveable Posture, that he would neither rise up nor speak, tho' the Keeper invited him to it twice or thrice by Courteous Questions. The Keeper, told him by the Faith of a deep Protestation, that he came purposely to prevent more harm, and to bring him out of that Sorrow, into the Light of the Kings Favour; *That he verily believ'd Gods directing Hand was in it, to stir up his Grace to advance him to those Favours, which he possessed, to do him Service at this pinch of Extremity.*

The Keeper besought the Duke to make hast to *Windsor*, and to shew himself to the King before Supper was ended; to Deport himself with all Amiable Addresses, and not to stir from him Day nor Night, for the danger was, that some would thrust themselves to push on the King to break up the Parliament; and the next degree of their hope

hope was, upon the Dissolution of the Parliament to see his Grace Committed to the *Tower*, and then God knows what would follow, the Keeper besought him to be secret, and be quick and judicious in the prevention, more might not be said because the loss of time might loose all. The Duke thankd him, and made hast to *Windsor*, before he was lookt for, and was as inseparable from the King, as his shadow.

The finess of the Keepers Wit, in unridling this Mystery, is equal to that of *Cicero*, in finding out the bottom of *Catalines* Conspiracy; and by like means, viz. by Women, tho' after a different manner: For *Fulvia* of her own accord discovered *Catalines* Conspiracy; in Spite and Emulation to *Sempronia*, but the Keeper Bribed one of *Fulvia's* Stamp, to get an insite into this design, which so perplext the King.

It seems to me the Prince and Duke, had a jealousy that the *Spanish* Ambassador might intruse something into the Keeper, which might spoil the Narrative which the Duke made in Parliament of the *Spanish* Match; and therefore the Keeper had given exprefs Orders, that neither the *Spanish* Ambassador, nor any of his Train, or Followers, should come at him, whereby the Keeper had been secluded for a Month from any Intelligence from thence.

But before, *Don Francisco Carondelet*, the Ambassadors Secretary, was frequently at the Keepers, he was contrary to the Ambassador, as well by Birth, for he was a *Walloon*, not *Castilian*, and Arch-Deacon of *Cambray*; as by Nature being Learned, and of a free and pleasant disposition; whereas

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the *Spanish* Ambassador was most Austere and Sour, so as there was a great Intimacy between the Keeper and him, and out of him the Keeper got what a Servant the Secretary was to some of our *English* Ladies of Pleasure; but above all to one in *Mark-Lane*, who by her Wit so managed the Secretary, that he could keep no Secret from her, which she would have had made known. With her the Keeper held Correspondence, and Presented her bountifully, tho' he told the Prince he had never seen her, and by her the Keeper had the Rough Draught of the Design of the Paper which the Ambassador, had put into the King's Hands: The Keeper had also notice of an *English* Priest, which Lived in *Drury-Lane*, which the Secretary loved above any other, and was dearer to him then his own Confessor, but whether the Keeper came to the knowledge of this, by the Lady in *Mark-Lane*, or from the Secretary himself the Bishop does not say.

The Commons had drawn up a Remonstrance against the Liberty which the Priests assumed, which the King called a Stinging one, and which put the Priests into a great terror, and in this terror, he sent his Purlevant Captain *Toothbie*, to seize the Priest in *Mark-Lane*, and not to Commit him to Prison, but to keep him at his own House, till further Order.

The Secretary soon heard of this, and was Confounded what to do for the Priests delivery; he knew no other means to do it, but by my Lord Keeper, and from him he was banished; yet in this extremity, he sent to the Keeper, to beg of him to see his Face, but that day, tho' he never

saw him more ; this was it the Keeper desired, yet he seemed very unwilling to admit him ; however if the Secretary came about Eleven of the Clock at night, the Keeper would order one of his Servants to let him in at the back door of the Garden.

When the Secretary came into the Keeper's presence, he told the Keeper, That nothing but a Matter as dear to him as his own life, should have forc'd him to break rule to offend his Lordship with his presence, and bewailed the Disaster of his *Confines* Attachment, and most passionately implored the Keeper to compass his Deliverance.

And would you have me, says the Keeper, run such an hazard to set a Priest at liberty, a dead Man by our Statutes, when the Eye of the Parliament is so vigilant upon the Breach of Justice, especially in this kind, to the sadding of godly Men, who detest them that creep hither out of Seminaries, above all other Malefactors, because they come with an intent to pervert them, who have lived in the bosom of our Church.

My Lord, says Francisco, (accenting his words with passionate gesture) let not the dread of this Parliament trouble you, for I can tell you, if you have not heard it, that it is upon expiration ; and then the Keeper pickt out of him the Heads of the Articles in the paper the Ambassador had given the King, with all the Reasons, Circumstances and distorted Proofs, and Expositions to confirm them ; and about two in the Morning dismiss the Secretary, and ordered the Purservant to release the Priest, with caution that he should cross the Seas that day, or the next.

The Keeper was as happy in his Memory, as in his Wit and Invention : for after the Secretary was gone, he neither slept, nor stirred out of the room,

till he had digested all the Secretary had told him into writing, with his observations upon each particular; and when he had trim'd up a fair Copy: (but what it was the Bishop say's not) he carried it to the Prince at St. *Jameses*: This was upon *Tuesday* Morning, after the King went to *Windsor*.

The Prince read the Charges, and admired at the virulency of them; with the Antiscripts of the Keeper which were much commended, whereupon he caus'd his Coach to be made ready, but before he went, the Keeper humbly beg'd of him to conceal the Matter for two Reasons: First, for searching into the King's Counsels, which he would not should be open'd; Secondly, that when he had found them out, to discover them, tho' to his Highness; which the Prince promised, and then went to *Windsor*: When he came there, he called for the Duke, and shewed him the Paper privately, with the Apology in the other Column; the Duke humbly thank'd the Prince, that his Case was interwoven with his Highness, and their double Vindication put into one frame; and besought the Prince to know what *Vitruvius*, had Compacted a piece of Architecture, of such vicinity in so short a time, but could not obtain it.

So they forthwith desired a private Hearing of the King, and gave the Schedule to his Majesty's consideration; the King read it deliberately, and at many stops said, *'twas well, very well*, and drew the Prince and Duke near to him, and embraced them both, protesting he sorrowed much, that he had agrieved them, with a Jealousy fomented by no better than Traitors: *And that you may know*, said the King, *how little you shall pay me for Reconciliation,*

I ask no more but to tell me who is your Engineer, that struck these Sparks out of the flint to light the Candle, to find the Groat which was lost? The Prince stood mute and the Duke vowed, he knew not the Author. Well, said the King. I have a good Nostri!, and will Answer mine own Question; my Keeper had the main finger in it, I dare swear he bolted the flower, and made it up into Past. Sir, said the Prince, I was precluded, by my Promise, not to reveal him but I never promised to tell a Lye for him; your Majesty has hit the Man, and God do him good for it, says the King, I need not tell you both, what you owe him for this Service, he has done himself this Right with me, that I discern his sufficiency more and more. This you may read in the Keeper's Life, first Part from fol. 195. to fol. 200. and much more of the Bishop, but I think but little more of the Keeper; and tho' the Spanish Ambassador received a sore Rebuke here, and was sent back into Spain, the Bishop says he received no frown, nor disfavour there.

Now lets see how the Duke requited the Keeper for his Service which was but in May; in the beginning of Michaelmas Term following, the Duke perswaded my Lord Chief Justice Hobart to tell the King, or give it under his Hand, that my Lord Keeper, was not fit for the Place, and he would undertake to, Cast the Keeper out, and put my Lord Hobart into his Place; but my Lord Hobart said, Somewhat might have been said at first, but he should do my Lord Keeper, great wrong that said so now. See fol. 201.

However such was the Temper of the Times, that both Houses chimed in with the Duke in his Narrative, and justified him against the Spanish Ambassador

ballador, who took great Offence at the Duke's relation, as reflecting upon his Master's Honour, and demanded his Head for satisfaction.

The King was so pleased with the Parliaments justification of the Duke, as we have shewed before, that as he had been his Favourite *Somerſet's* Advocate, to plead his Cause against the Opinion of Archbishop *Abbot*, to make the Countess of *Essex* to be *virgo intacta*, and so a fit Wife for *Somerſet*, so now he becomes his Disciple *Buckingham's* Advocate, to make him a Favourite to the Nation; and because of the Excellency and Veracity of his Speech, which should dispose the Nation to it, we'll give it you *verbatim*, as it is to be seen in *Rush. f. 127.*

My Lords and Gentlemen,

I Might have to speak nothing in regard of the Person whereof you spake, but in regard of your Motion, it were not civil; for if I be silent, I shall neither wrong my self, nor that Noble Man, which you now spake of, because he is well known to be such a one, as stands in no need of a *Prolocutor*, or *fidejussor*, to undertake for his Fidelity, or well carrying of the Business: And indeed to send a Man upon so great an Errand, whom I was not to trust for the carriage thereof, were a fault, in my discretion, scarce compatible to the Love and Trust I bear him. It is an old Saying, *That he is a happy Man that serves a good Master*, and it is no less true, *That he is a happy Master that enjoys a faithful Servant.*

The greatest fault (if it be a fault) or at leastwise the greatest Errour, I hope he shall ever commit against me, was his desiring this Justification
from

from you, as if he had need of any justification from others towards me, and that for these Reasons.

First, because he being my Disciple and Scholar, he may be assured he will trust his own Relation. Secondly, because he made the same relation to me, which he did afterwards to both Houses, so as I was formerly acquainted with the matter and manner thereof; and if I should not trust him in the Carriage, I was altogether unworthy of such a Servant; he hath no interest of his own in the business; he had ill Thoughts at Home for his going thither with my Son, altho it was my Command, as I told you before, and now he hath as little Thanks for his Relation on the other part (*he has the Thanks of the Parliament*) yet he that serves God and a good Master, cannot miscarry for all this.

I have noted in the Negotiation these three remarkable things, *Faith, Diligence and Discretion*, whereof my Son has born Record unto me; yet I cannot deny, that as he thought to do good service to his Master, he has given an ill Example to Ambassadors in time to come, because he went this long Journey upon his own Charge: This would prove an ill Example, if many of my Ambassadors should take it for a president. He run his head into the Yoke with the people here for undertaking the Journey, and when he had spent there above 40 or 50000*l.* (*where should he have this Money*) never offered his Account, nor made any Demand for the same, nor ever will. I hope other Ambassadors will do so no more. I am a good Master that never doubted him, for I know him to be so good a Schollar of mine, that I say

without vanity, he will not exceed his Master's Dictates; and I trust the Report not the worst he made, because it is approved by you all, and I am glad he hath so well satisfied you, and thank you heartily for taking it in so good part, as I find you have done.

Did ever any old experienced King (as he styles himself) so dote upon a young, raw and unexperienced Gentleman, bred up in no sort of Learning or Business, and scarce before he became a Courtier, unless in his infancy, breathed any other than *French Air* ; as in the face of the Nation to magnifie an invidious Tale, told by the Duke, to the offence not only of the *Spanish* Ambassador, conversant in the whole Affair ; but also without hearing the Earl of *Bristol*, who was the greatest Man, if not in *Europe*, yet of *England*, and who had so honourably performed several Embassies, to the honour of the King, so far as the thing would bear, and so manifoldly owned by the King? That this Schollar of the Kings, unacquainted with the Treaty, should break upon the Earl, and not only unravel all, but quarrel with him, and in another King's Court, with the prime Minister of State, by whom he might best have attained his end, if he designed any.

However the Parliament address themselves to the King, and represent to him, That he cannot in Honour proceed in the Treaty of the Match with *Spain*, nor the *Palatinate* ; and the Commons offer the King three Subsidies, for carrying on the War for the recovery of the *Palatinate*, in case the King will break off the Treaties ; which the King accepted, protesting to God a penny of this Money should

not

not be bestowed but upon this work, and by their own Committees, and the Commons took him at his word, and appointed Treasurers to receive the Money, and a Council of War to disburse the same.

But the Commons having granted these Subsidies, drew up a Petition against the License the popish Party had taken, during the Treaty of *Spain*: He was so nettled at it, that he called it a *Stinging One*; and hearing the Commons were entering upon Grievances, he could not endure it, and upon the 29th of *May* adjourned the Parliament to the 1st of *Novem.* 1624, and from thence to the 7th of *April*, least the King should hear of another stinging Petition, or a disturbance in the *French* Treaty; but at this Adjournment he told them, at their next Meeting they might handle Grievances, so long as they did not hunt after them, nor present any but those of Importance; yet I do not find the Parliament ever met again, at least never did any thing: However the King passed a General Pardon, and the Parliament censured *Lionel*, Earl of *Middlesex*, Lord Treasurer, for Corruption in his Office 50000*l.* to the King, and to be imprisoned in the Tower, during the King's pleasure, which was but three Days after the Adjournment of the Parliament, for upon the first of *June* he was set free.

Whilst these things were doing in Parliament, the Earl of *Bristol* was recalled from his Embassy; but before his arrival, the Duke dealt by all means, that the Earl might be committed to the Tower, before he should be admitted to the King's presence: But fearing the Marquis *Hamilton*, and my Lord Chamberlain would oppose him herein, the Duke

Duke pressed them that they would concur in i
vowing (as *Somerſet* did to Sir *Thomas Overbury*)
he intended the Earl no hurt, but only feared th
if he ſhould be admitted in the King's preſence, h
would croſs and diſturb the courſe of Affairs; bu
neither of theſe Lords would condeſcend thereun
to. This was Atteſted by my Lord Chamberlain
before the Houſe of Lords.

This Deſign of the Duke's failing, the Duke t
terrify the Earl from returning into *England*, wr
to him, that if he kept not himſelf where he wa
(in *Spain*) and laid hold of the great Offers, whic
he heard were made unto him, (the Earl) it ſhoul
be the worſe for him.

At *Bordeaux* the Earl heard of the Aſperſion
caſt upon him by the Duke in Parliament, of whic
the Earl did boldly afterward in the Houſe o
Lords, in the 2d. Parliament, C. 1. and in the pre
ſence of the Duke affirm, *That there was ſcarce any*
one thing concerning him in that Declaration, which wa
not contrary to, or different from Truth.

From *Bordeaux*, the Earl took Poſt to get into
England, to vindicate himſelf from the Aſperſions
which the Duke had caſt upon him in Parliament
but when he came to *Calais*, though he ſent over
to have one of the King's ſhips allowed him, and
for which publick Order was given ; and though
the King (*James*) had Ships which lay at *Bologne*
which might have every day been with him in
three hours, and the Wind fair, yet none came,
though the Earl waited for one 8 Days, ſo as he
was forced to paſs the Sea to *Dover* in a Boat and
ſix Oars.

When

When the Earl was landed at *Dover*, he was, by Letter from my Lord *Canway* (a Creature of the *Dukes*) commanded in the King's Name to retire to his House, and not to come to Court, or the King's presence, until he had answered to certain questions, which his Majesty would appoint some of the Council to ask him ; but this was not out of any ill meaning to him, but for fear the Parliament should fall too violently upon him, and this the Duke said to some of his Friends was the reason of the Earl's restraint.

Hereupon the Earl humbly petitioned the King, that he might be exposed to Parliament, and that if he had not served the King honestly in all things, he deserved no favour, but to be proceeded against with all severity ; but received Answer from the King, That there should be but few days past, before he would put an end to his Affairs : But the Parliament was Adjourned before the few days passed, nor did he ever put an end to them. You may read the further Contrivances against him by the Duke, in *Rushworth*, from fol. 159 to 165.

After the Adjournment of the Parliament (or if you will, the Dissolution of it) tho' the Earl of *Bristol*, could not obtain admission into the King's presence ; yet he Obtained leave to answer to all the Duke, had in his absence, Charged upon him in Parliament and withall wrote to the Duke, that he, or any Man living, was able to make reply, he would Submit himself to any thing which should be demanded ; which tho the Duke preposterously said, *That it is not an assertion to be granted, that the Earl of Bristol by his answer had satisfied the King, the Prince or himself, of his Innocence ; yet*
it

it so Satisfyed the King, that when the Duke expressed the King that the Earl might submit, and acknowledg his fault, the King answered. *I would not be accounted a Tyrant, to engage an innocent Man to confess Faults of which he was not Guilty*: tho' the Earl said he could prove this upon Oath, yet the Duke wrote to him, that the Conclusion of all that had been treated with his Majesty was, that he (the Earl) should make the Acknowledgment as was set down in that Paper, tho' at that time the King sent him word, that he would hear him against the Duke, as well as he had heard the Duke concerning him and soon after the King died; where the Promise of the Kings, the Earl prayed God, that the King no Hurt, however the Earl obtained Leave of the King to come to *London* to follow his private affairs; Mr. *Rusworth*, therefore Errs a little in point of time, where he say's fol. 149, the Earl was Committed to the Tower in King *James* the 1st time, for he was not Committed till the 15th *January* 1625 in the first year of King *Charles*, as you may see in *Stowe's* Life of King *Charles*, 1042.

We have now done with the *Spanish* Match, at least during this King's Reign, yet the King's desires seeing his Son Married which he shall never see were as impatient, as those of getting the *Infanta* a huge Portion, and to that end before the Meeting of the Parliament, and while the Treaty with the *Infanta* was yet breathing, the King sent my Lord *Kensington* (after Earl of *Holland*) to feel the pulse of the *French* Court, how it beat towards an Alliance between the Prince, and Princess *Henrietta Maria* youngest daughter of *Henry* the 4th. of *France*.

seren

Heaven appeared in France upon the Moti-
 on; not a Cloud to be seen in all the French Horizon:
 Lewis, the King, telling my Lord Kensington, he
 took it for an Honour that he sought his Sister, for
 the sole Son of so Illustrious a King, his Neighbour
 and Ally; only he desired he might send to Rome,
 to have the Pope's consent for the better satisfaction
 of his Conscience; and now you shall see how a lit-
 tle French Artifice could work upon the Con-
 science, of our wise and pacifick King, which we will
 give *verbatim* as the King says it, in return to the
 French King, and which you may Read in Mr.
 Howell's life of Lewis 13. fol. 63,

Most High, most Excellent, and most puissant Prince,
 Our dear, and most beloved good Brother, Cousin
 and ancient Ally, altho' the deceased King of
 happy Memory was justly called Henry the Great,
 having reconquered by Arms, his Kingdom of France,
 tho' it appertained to him as his proper Inheritance, (so
 King James determined his Title to France) yet you
 have made a greater Conquest; for the Kingdom of France,
 tho' it was regained by the victorious Arms of your dead
 Father, it was his *de Jure*, and so he got nothing but
 his own; but you have lately carried away a greater
 Victory, having by your two last Letters so full of cor-
 diall Courtesies, overcome your good Brother and ancient
 Ally, and all the Kingdom's appertaining to him; for
 wee acknowledg our self so conquered by your more than
 brotherly Affection, that wee cannot return you the like;
 only we can promise and assure you upon the faith of an
 honest Man, that you shall always have power, not on-
 ly to dispose of our Forces and Kingdoms, but of our
 heart and Person, and also of the Person of our Son if you
 have

have Need, which God prevent, praying you to rest assured, that we shall not only be so far from cherishing or giving the least Countenance to any of your Subjects of what profession Soever of Religion, who have for their natural Allegiance to you, but if we hear the least intimation thereof, we shall send you very faithful Advancement ; and you may promise your self, that on such occasion, or any other which may tend to the Honour of your Crown, you shall always have power to dispose of our Assistance as if the Cause were our own : So we assure you that our interests shall be always common, we pray God, most high, most Excellent, most Puissant Prince, our most dear and most beloved Brother and Ally, to have you always in his most Holy Protection. Newmarket the 9th. of Feb. 1624. your most Affectionate Brother, Cousin and ancient Ally. James K.

So Prodigal was King *James* of his Promises, and so negligent in their performance, whether they were in his power or not : Now let's see what became of this bluster of Words, and how the Interest of King *James* was common in this very Treaty with the most high, most Excellent and most Puissant Prince, his most dear, and most beloved Brother, Cousin and Ally, *Lewis*.

Lewis, whilst King *James*, was intent upon his Pleasures, and pursuing the Spanish and French Matches, had taken almost all the In-land Cautionary Towns, which the Reformed held in France, and about the beginning of this Treaty, by the interposition of his Mother, had made Cardinal *Richlieu* Prime Minister of State ; who shall serve her as *Buckingham* shall serve the Arch-Bishop of Canterbury, and Land his Patron *Williams*, Lord

Keeper

per, and to *Richlieu*, did *Lewis* commit the management of this Treaty, an other-guess Minister of State then *Olivares* was in *Spain*, and shall pay *Buckingham* his own again, with interest.

Nani, lib. 5. f. 205. observes of *Richlieu*, that the King had no inclination to him, there being certain, natural, secret Aversion to those, who with an ascendant of Wit exceed: Sure it is, the Cardinal possessed rather the power of Favour than the Favour it self, nevertheless, he had the Great Art how to fix the mutable and suspicious Genius of the King, and the inconstant Nature of the People, governing as with a supreme Dictatorship, the one and the other even to his Death.

Richlieu had his Eyes in all the corners of the Court of *England*, and was throwly informed of the King's Fondness of this Match, and of the insufficiency of *Buckingham* to encounter him in the transactions of it; and therefore how sweetly and desiredly sooner the Proposition was embraced in *France*; yet in the Treaty *Richlieu* stood upon his Tip-toes, now that of *Spain* was broke off.

In the first place he would not abate one *Iota* of the Articles of Religion, and Liberty to the Popish Recusants which was agreed upon in *Spain*, nay, he raised them higher: For it was but fit, he said, his Master who was the Eldest Son of *Church*, should not abate any thing of what was Granted to the Catholic King; if there had been nothing else, this would have caused another stinging Petition from the Commons (as the King called it) if ever they had met again.

And tho' her Portion was but 800000 Crowns (not one tenth of the *Infanta's*) yet the Consideration

ration of it must be 18000*l.* *per. Ann.* Joynture (which her Son increased to 40000*l.*) and besides the King (*James*) shall give her 50000*l.* in Jewells whereof she shall have the Property, as of those she has already; and also of what she shall have hereafter: The King also (*James*) shall be obliged to maintain her and her House; and in Case she come to be a Widow, she shall Enjoy her Dowry and Joynture, which shall be assigned in Lands, Castles and Houses, whereof one shall be furnished and fit for Habitation, and the said Joynture be paid her wheresoever she shall desire to reside; she shall also have the free disposal of all the Benefices and Offices, belonging to the said Lands, whereof one to be a Duchy, or County.

And in case she survive her Husband, her Dowry shall be returned to her entirely, whether she live in *England* or Not: and in Case she dye before her Husband without Children, the Moiety of her Portion to be returned; yet this portion must one half be paid the year after the Contract, the other half the year after that: These pills how bitter soever must be swallowed by the King, rather than his Son shall be baulked a second time; nay it seems they were very sweet to him: For Mr. *Howel* in the life of *Lewis XIII.* say's f. 66. that King *James* said passionately to the Lords of the Council of the King of *France*.

My Lords, the King of *France* has wrote unto me, That he is so far my Friend, that if ever I have need of him, he will render me Offices in Person, whensoever I shall desire him. (*the truth of this you'll see by and by*) Truly he hath gained upon me more than any of his Predecessors, and he may

may believe me, that in any thing that shall concern him, I will imploy, not only my Peoples lives, but my own. (*bravely spoken, and like King James*) And whosoever of his Subjects (*Lewis's*) shall rise against him, either Catholicks or others, shall find him (*James*) a Party for him (*Lewis*) 'Tis true, if he be provoked to infringe his Edicts, he shall impart as much as in him lies, by Councel and Advice to prevent the Inconveniences : *Who ever expected he should do more, or ever did.*

But *Venus* must not have the only Ascendant in this Treaty, for the Cardinal will have *Mars* to be in Conjunction with her, and 'twas high time, for at this time Monsieur *Soubiez* had provided a great Fleet of Men of War, (as Times went then with the *French*) and had Entered and Surprized the Fort of *Blavet* in *Britany*, and took and carried away six of the *French* great Men of War out of it, and also taken the Isles of *Rhe* and *Oleron*, which he began to fortify ; and being Absolute Master of the Sea triumphantly, with a Fleet of 75 Men of War, of all sorts, landed a considerable Force at *Medoc* near *Bordeaux*.

The Court of *France* was never before so alarmed, as at this, notwithstanding all the King's Victories over the *Reformed* by Land ; and therefore the Cardinal threw another Article into the Treaty, that King *James* should lend the *French* a Fleet of Ships to repress *Soubiez*, and in lieu thereof the *French* should permit *Mansfield*, who had raised an Army of 10000 Foot, and 2000 Horse in *England*, to land at *Calice*, where the *French* should join him, with another Body of Horse and Foot, for the Recovery of the *Palatinate*.

O

But

But see the *French* faith, and how well *Lewis* made good his Promise to King *James*, to render him all Offices in his own Person, whensoever King *James* should desire him ; for at this time the Army being shipt at *Dover*, and put over to *Calice*, where being denied Entrance, and having no other Instructions, and wanting Provisions, they lay neglected at Sea, and in this distress a Pestilence raged among them, so that they were forced to sail to *Zealand*, where having no Orders, they were denied landing there ; and this being the most terrible Season of the Year in *December*, what by Hunger, Cold and Pestilence, above $\frac{2}{3}$ of them perished before Leave could be obtained to land them in *Holland* ; so that they never did the King of *Spain* neer so much hurt, as they had done in *England* before they were shipt, living upon plunder and Free-Quarter.

These were sad presages of future happiness from the designed Marriage, yet these things no ways discomposed the quiet Repose of our pacifick King, so as he might see his only Son married to a Daughter of *France*, was all his business, no matter How. The Thirst, which God was his Judge, and as he was a Christian King, which he had contracted, equal to that of the wayfaring Man in the Desarts of *Arabia*, and in danger of death for want of Water, for the good success of the Parliament, is now allwaged by the Granting of three Subsidies, and three Fifteenths : Here's no mention of marrying his only Son, with the Tears of his only Daughter ; and he is still ready, with the Lives of his Subjects, and his own, to assist the most High, most Excellent, and most puissant Prince, his most dear, and
most

most beloved Brother, Cousin, and ancient Ally,
Levin.

The Managers of this Treaty were, *Hay*, a Scotch Man, created Earl of *Carlisle*, and the Lord *Kensington*, for the more honour of it, created Earl of *Holland*, two of the King's Favourites of the second Rate, but who bare no proportion to the Sagacity, Wildom and Integrity of the Earl of *Bristol*. *Bristol* was all Heart of Oak, and would not bend to *Buckingham's* pride and ambition ; but they were Willows, that were liable to every Nod and Wind of *Buckingham's* breath.

Bow how comes *Buckingham*, who must have an Oar in every Boat, to be absent from this Treaty ; the Reason was, though he were not wise, yet he was jealous, lest King *James*, in his absence, should hear *Bristol* against him, as the King had promised, as well as he had heard *Buckingham* against him, which was so dangerous a Rock, as our Land-Admiral would not venture to run against.

Notwithstanding all this hast for Consummating this desired Marriage, the Thred of the King's life was spun out before, for upon the 27th. of *March* he died at *Theobalds*. Having had an Ague, the Duke of *Buckingham* did upon *Monday* the 21st. before, when, in the Judgment of the Physicians, the Ague was in its declination, apply Plaisters to the Wrists and Belly of the King, and also did deliver several quantities of Drink to the King, though some of the King's Physicians did disallow thereof, and refused to meddle further with the King, until the said Plaisters were removed ; and that the King found himself worse hereupon, and that Droughts, raving, fainting and an intermitting Pulse followed

lowed hereupon; and that the Drink was twice given by the Duke's own hands, and a third time refused; and the Physicians to comfort him, telling him, that this second Impairment was from Cold taken, or some other Cause: *No, no*, said the King, *it is that which I had from Buckingham*. I confess, this was but a Charge upon the Duke, upon the Impeachment of the Commons, as you may read in *Rushworth*, fol. 355, 356, yet it was next to positive proof, for the King (*Charles*) rather than this Charge should come to an issue, dissolved the Parliament, which was a failure of Justice, though the Commons had voted him four Subsidies, and four Fifteenths, before it was passed into an Act.

The Character of King James.

He was the first of that Name King of *England*, and the first King of the whole Isle of *Britain*, and the first King, since *Henry* the first, that was born out of the Allegiance to the King of *England*, and was the first (at least, since *Rich. 2.*) that affected and endeavoured to introduce an *Arbitrary Power* in *England*, foreign to the Laws and Constitutions of it; and in all his Reign was more governed by Flatterers and Favourites, than by the Advice of his Parliament or a wise Council.

His Flatterers and Favourites seldom spake of him but under the Appellation of *Most Sacred*, rarely, I think, or never before used to any of the Kings of *England*; and of the *Solomon* of the age, tho' never were two Kings more unlike, *Solomon* died the Richest of all the Kings of the world, King *James* the Poorest; *Solomon* was Inspired above all other Kings

Kings with wisdom, and his Proverbs Divine Sentences, for improvement of Vertue and Morality; whereas this Kings Learning wherein he and his Flatterers so much boasted, was a Scandal to his Crown; for all his Writings against *Bellarmino* and *Peron*, of the Papal Power of *King-Killing* and *King-Deposing*, were only Brawls and Contentions, and no Learning on one side nor the other: A Power disclaimed by our Saviour when the Devil would have given him it: and denied any such Power in this world, even when the *Jews* were ready to Crucify him, *John*. 18. 36.

And as there were no Reasons for these Brawls, so was the end of them, Arrogance on the Popish part, to impose a foreign Power or Jurisdiction upon the King and Kingdom, and as Foolish on the Kings part; it being exploded by the Nation, and under the severest Penalty, and the asserting such a Power, prohibited; and how could the King by all his writings further secure himself and the Nation against it.

But it seems the King, was in this more Zealous for himself and the preservation of his *Inherent-birth-right* to the Crown of *England*, than for the honour of God and our Saviour by the Pope's Usurpations other ways; for in his Speech at the Opening the first Parliament of his Reign; he calls the Church of *Rome*, a *true Church*, and our *Mother Church*, and if they would lay aside their *King-Killing* and *King-deposing* Doctrin, and some Niceties, (but names them not) he was content to meet them mid-way.

Does not the Pope exalt himself above God, and is *Antichrist*, in forbidding the Laity the Cup
 O 3 in

in the partaking the Sacrament of Christ's last Supper: If any Man makes a Question of it, I demonstrate it by a better Syllogism, that can be made up of *Aristotle's Analyticks*.

For whosoever shall forbid what another Commands, exalts himself above that other,

But our Saviour commands, the Cup with an Emphasis, *Drink ye all of it*;

And the Pope forbids the Drinking of the Cup at the Sacrament to the Laity, who are Christ's Members as well as the Priests,

Therefore the Pope exalts himself above our Saviour, and is Antichrist: which was to be Demonstrated and this Mutilation, makes this the Popes, and not a Sacrament of our Saviour's Institution.

COROLLARY.

By the same Reason, I say the Pope exalts himself above God, in forbidding Marriage to the Priests.

For Marriage is an Institution of God in Paradise *Gen. 2.* and Commanded by God *Gen. 9. 1.* and the Pope forbids the Marriage of Priests; which *St. Paul* says is the Doctrine of Devils; and its worthy Observation, that the Pope makes Marriage to be a Sacrament yet denies it to Priests; and our Saviour Commands the Cup in the Sacrament of his last Supper, to be drunk by all, yet this is denied the Laity, and only Allowed to Priests.

I say Pope *Julius* the 2d. in dispensing with *Henry* the 8th. to Marry his brother *Arthur's* Wife exalted himself above God.

For whosoever shall dispence with, or allow, what another forbids, exalts himself above that other.

But

But God forbids the Marriage of a man's brother
Wife *Leviticus* 18. 16.

And *Julius* dispensed with *Henry's* Marriage of
his brother's Wife.

Therefore *Julius* exalted himself above God,
which was to be demonstrated.

Its true, I do not find the Marriage of a Man's
Sister's Daughter particularly forbidden by the
Levitical Law; yet by the 17. *vers.* it is by in-
ference forbidden, and is Abhorrent to Nature:
So that when *Cambyfes* asked the *Magi*, if it were
not lawful to Marry his Sister's Daughter, they
told him it was not, yet like Flatterers, they told
him he might do what he pleased; and *Platina*, (I
think it is in the Life of Pope *Boniface* the 5th, or
Honorius.) exclaims against the Emperor *Heraclius*
his marrying his Sister's Daughter, as an Impiety
scarce ever heard of: yet three Popes successively
Dispensed with *Philip* the 2d, *Philip* the 3d,
and *Philip* the 4th. Kings of *Spain*, marrying
with their own Nieces, *viz.* their Sister's Daugh-
ters.

It were endless to enumerate the Doctrines of
the Church of *Rome*, how Dishonourable they are
to God, and his sacred Laws: I'll give Instances
only in two, 1. Their *Invocation of Saints* after
Death, many of which are of their own Making,
thereby attributing to them a concurring Power
with God, in his Omniscience, which is a robbing
God of his Honour; and if Saints after death be
not Omniscient, it were vain to pray to them.

The other is dispensing with Men's promises
and their own, tho' they have bound themselves

to the performance of them by an Oath; whereby the Popes render themselves Enemies of Mankind and Human Society; for these are founded in truth and Men's mutual performance of their promise that this for several hundreds of Years hath been practised by the Popes upon those Princes and Subjects, whom they please to call *Hereticks* (when the Popes are greater) is well known to those conversant in their Histories: I'll give but one Instance of the Liberty the Popes take to themselves herein.

Upon the Death of Pope *Marcellus* 2d. Anno 1555, the Cardinals in the Conclave, before they proceeded to the Election of another Pope, mutually Swore, That whosoever should be Chosen, should call a synod in six Years, and not make more than 4 Cardinals in two Years after the Election, and *Paul* the 4th. was Chosen. See the Council of *Trent* Anno 1555.

Some small time after this Election, *Paul* entered the *Conclave*, to declare his Intentions of a promotion of Cardinals, and the Cardinal of *St. James's* pressed to him, and put him in mind of his Oath before his Election, but the Pope thrust the Cardinal back, and told him, *This was to bind the Pope's Authority; that it is an Article of Faith, that the Pope cannot be bound, much less bind himself; that to say otherwise was manifest Heresy, from which he did absolve those who spake it, because he thought they did not speak obstinately, but if any should say the same again, he would give order the Inquisition should proceed; and this being spoken in the Conclave, was in Cathedra, and infallible, and never since retracted by him, or*
any

any other Pope: These are the Heresies in the Church of Rome, for which Men must be slaughtered and burnt; and for not believing them against the Evidence of a Man's senses to the contrary, and against the Nature of a Sacrament, That the Bread and Wine in the Sacrament after Consecration, is Christ's organical Body and Blood: This is that True and Mother-Church which the King would meet mid-way, if it would let him and his *Inherent Birth-right* alone.

This is that Prince, who to prosecute these pleasures, and to wallow in sensual Pleasures, neglected the foreign and domestick Affairs of his Kingdom; only Great in making himself little, and not beloved at Home, and contemptible and dishonoured Abroad. A Prince who squandered away the sacred Patrimony of the Crown amongst Flatterers and Favourites, thereby becoming not able to maintain the Honour of the Nation abroad; and neglecting the encrease and repair of his Navy-Royal, not only rendered the Nation in an unsettled and dangerous Peace at home, but notwithstanding the Treaty with the *Dutch*, for License to fish upon the Coasts of *England* and *Scotland*, suffered them with Men of War to guard their Fisheries, and to do so whether he would or not. A Prince, that by his dissolute Life, and prophane Conversation, debauched and effeminated the *Genius* of the *English* Nation, whereby it became more scandalized for Swearing and Drinking, than in any Age before. A Prince that broke all the measures, by which *Hen. 8.* and *Queen Elizabeth* were the Arbitrators of *Christendom*. A Prince fearful of all his Enemies abroad, while

while he was only great by exercising a Tyrannical, Arbitrary Power over his Parliaments and Subjects, who could only have made him great abroad, and honoured at home ; whereby he became little beloved at home, and suffered the Dutch to redeem their Cautionary Towns upon their own Terms, and to dispossess the *English* at *Amboyna*, and their other Factories in the *East Indies* and *Africa*. He only stood still looking on, while the *French* upon the matter suppress the *Reformed* in *France* and suffered *Ferdinand* the 2d. to over-run, and to subdue the *Protestant* Princes in *Germany*, as well as his own Son-in-law : And tho' he were the 6th. of that Name, King of *Scotland*, from *John*, alias *Robert Stuart*, the Son of *Robert Stuart*, by his Parliamentour *Elizabeth More* ; yet if Sir *James Melvil* be true, that Cardinal *Bethoun* poisoned *James* the 5th. he was the first of that Name who died a Natural death, if he did so ; for *James* the first was murdered by his Uncle the Earl of *Athol*, his Grand-father's legitimate Son, in his Queens Arms with eight and twenty Wounds, the Queen receiving two to defend him. This was in the Year 1436.

James the 2d. was killed by the breaking of a piece of Cannon, while he besieged the Castle of *Roxburgh* the 3d. of *Aug.* 1460.

James the 3d. having his Army routed by an Army headed by his Son *James*, was killed at *Bannock-Burn*, by the Lord *Gray*, and *Robert Sterling* of *Kelso* after Sir *Andrew Brothick*, a Priest, had shriven him. This was in 1488.

James the 4th. was killed the 9th. of *December* 1514, at *Flowden-field*, by the *English*, Commanded

the Earl of *Surrey*, and his Body never found ;
 and if *James* the 5th. was poisoned, then none of
 these *Jameses* died a Natural Death, neither did
 King *James* his Mother, being put to death Ann.
 1687, for Conspiring the death of Queen *Eliza-*
abeth.

After the dissolution of the *Spanish Match*, the
 King as greedily prosecuted the *French*, and tho' he
 tried not to see it settled, yet he saw the Army
 raised under Count *Mansfield*, for the Recovery of
 the *Palatinate*, ruined by trusting to the *French* Faith
 in this very Treaty. When he died, he not only
 left an empty Exchequer, but a vast Debt upon the
 Crown, yet was engaged in a foreign War, and
 the Monies given by the Parliament, for carrying
 on, were squandred away in carrying on the
French Treaty, and the Nation imbroiled in inte-
 rine Feuds and Discords.

At his death he left a Son and Heir, and one
 Daughter : Before he died he saw his Son over-
 ruled by his Favourite, against his determinate Will
 and Pleasure, and the Prince's own Honour and
 Interest; which was a great mortification to him,
 and which he often complained of, but had not
 Courage to redress ; and so strongly was this Fa-
 vourite possessed of his power over his Son, in the
 King's life , that the Prince little regarded his Fa-
 ther's Precepts, or the Councils of any else, after his
 death ; whereby he encreased the Internal Feuds,
 Jealousies and Discords of the Nation, which ended
 in a sad *Catastrophe*, both of the Favourite and
 King.

At the Kings' death, his Daughter, with her Husband, and her many Children, were driven into Exile and Poverty, in the Dominion of the Dutch States, where they were more relieved by the States, the Prince of Orange, and some Bishops and Noblemen of *England*, than by either Kings, Father or Son.

A
DETECTION
OF THE
Court of *England*,
during the Reign of
King *CHARLES* I. &c.

BOOK II. CHAP. I.

*this Reign, detected to the Dissolution of the
Parliament, Tertio Car.*

Twas a strange Reign this: As this Kings Father's Reign was introduced, with an horrible Plague, so was this King's with a greater, and such as no Records of any Times mention the like: The first fifteen Years of his Reign, were perfectly *French*, and such as never before were seen, or heard of in the *English* Nation; this brought on a miserable War in all the three Kingdoms of *England Scotland* and *Ireland*, and destruction upon the King, whenas it was not in the power of
of

of those which first raised the War against him, save his life which they would have done. *Baptista Nani*, in the sixth Book of the History of *Venice*, Ann. 1625, f. 221. Observes, That after the Marriage of King *Charles* with the Daughter of *France*, the Interest of State, or rather the Passion of Favourites, converted the bonds of Affection into Causes of Hatred: *Europe* in those times reckoned it amidst its unhappy destiny, that the Government of it fell upon three young Kings, yet in the flower of their Age, Princes of great Power desirous of Glory, and in Interest contrary, but in this alone by *Genius* agreeing, that they committed the Burden of their Affaires to the will of their Ministers; for with equall Independency *France*, was governed by *Richlieu*; *Spain*, by *Oliverares*, and *Great Britain*, by *Buckingham*, confounding Affections with Interest, as well Publick as Private: Betwixt the Cardinall and *Buckingham* open Animosities discovered themselves, for Causes much more unadvised, as they were more hard to be known.

When King *James* died, the Nation was rent into four Parties; viz. The *Prerogative*, which exalted the King's divided Will from the Laws and Constitutions, above his *Royal* or *Regal* Will: The *Country*, or *Legal Party*, which stood for the Legal Establishment of Church and State, and the *Puritan* and *Papish Party*: After the Treaties of Marriage between the Prince and the Daughters of *Spain* and *France*, the *Papish* and *Prerogative Parties* joyned for Carrying on the Court-Designs; and were opposed by the *Country* and *Puritan Party's*; and as the *Prerogative* and *Papish* Factions Grew more

Insolent

olent, so the *Puritan* Party gathered Strength and Reputation among the vulgar, or ordinary people, insomuch that in Number they became more than all the other three : We shall take a better view of this Reign, if we Look a little back into the former.

After the Treaty of the Match with *Spain* was broken off, King *James* was perplexed what to do, he had neither Money nor Courage to make War for the Recovery of the *Palatinate* ; and the Wounds which he had given the last Parliament, by Imprisoning their Members, for advising him to Make War for the recovery of the *Palatinate*, were yet fresh and bleeding ; and yet *Buckingham*, whom he durst not offend, not content, to satisfy his Spite against *Olivares*, by breaking of the Match, was notwithstanding all Difficulties, nay, impossibility of Success still Pushing on the King, to declare War against the King of *Spain*.

The King hereupon referred this business to my Lord Keeper *Williams*, my Lord Treasurer *Cranfield*, the Duke of *Richmond*, Marquis *Hamilton*, the Earl of *Arundel*, the Lord *Carew*, and the Lord *Belfast* ; who all agreed, That they could not say, that the King of *Spain* had done the part of a friend, in the the Recovery of the *Palatinate*, as he had professed ; nor could find that he had acted the part of an Enemy declaredly, as the Duke Objected, and indeed my Lord Keeper's Reasons against the War governed all the rest, that he saw no Expediency for War upon the Grounds Communicated by *Buckingham* : and 'tis more observable, that during the whole Treaty, while *Buckingham* was in *Spain*, the Business of the *Palatinate* was never

never mentioned, and now he is come out of it must be the Cause of a war with the King of Spain.

The Keeper's Reasons were, *Upon whom shall it fall? either upon the Emperour, or King of Spain; the Emperour had in a sort offered the King his Son-in-law Country again for payment of a great sum of Money; recompence of disbursments, but where was the Money to be had: yet it might be cheaper bought than Conquered before a Warr were Ended: for the King of Spain, saw no Cause to Assault him with arms: He had been indeed in a long Treaty to our loss, but he held nothing from us; and was more likely to continue the State of things in a state of Possibility of Accomodation, because he disliked the Duke of Bavaria's Ambition and he rather stop the Enlargment of his Territories.*

The King Embraced this Advice; nor did he stay here (yet did not stay long) but spake hardly of Buckingham, who would have put him upon making War upon the King of Spain, and the Kings Censure upon him, was so bitter, Cabot Page 92. that it was fit to be cast over-board in silence, say's the Bishop of Litchfield, f. 169. 170 tit. 175.

This Resolution of the Council, was so little to the Duke's satisfaction, that the Bishop say's in the same *Tit*, that it made the Duke rise up, and chase against them from room to room, as an Hen that had lost her Brood, and clucks up and down, when she has none to follow her: Nor did the Duke stop here, but notwithstanding the fierce Anger of the King, and his not answering one of the Keeper's Reasons, he appealed from the Judgment of the Council to a Parliament: Sure he durst not have

have done this, if he had not been sure of the Prince to second him against the Opinion and anger of his Father.

This was the third and inextinguishable Crime the Keeper had committed against the Duke, the first was his Advice to the Duke, when he was in Spain, to hold a good Correspondence with the Earl of Bristol, and Olivares; but finding the contrary, by a Letter to the Duke, of the 28 of June, which you may read in the Bishop of Litchfield's Life of Bishop Williams, fol. 136. tit. 146. and another of the 22d. of July, tit. 155 fol. 147, where he in a gentle manner informed the Duke, as from the King himself, how zealous the King was, not only of fair Terms between the Duke and Earl, but of a near Alliance: this was such a piece of impudence in the Keeper, that the Bishop say's in the next tit. that it removed the Duke's Affections from the Keeper for ever, nor could this State-Minister contain his Displeasure, but he wrote to my Lord Mandeville, that the first Action, he would embark himself in when he came home, should be to remove the Keeper out of his Place, and the next Crime of the Keeper, was, the Duke was afraid of his Wit. See the Bishop, tit. 156.

However this Counsel took such effect with King James, and was so satisfied that he had no colour of Title, to make warr against the King of Spain, that when the Parliament after gave him three Subsidies, and three Fifteens for the Recovery of the Palatinate; and when he had raised an Army of 10000 foot and 2000 Horse to be Commanded by Count Mansfeld, the King not only made it a

Condition, that *Mansfeild*, with the Army, should not Commit any hostility against any of the *Dominions*, which by Right appertained to the King of *Spain*, or the *Infanta Isabella*, Princes of the *Low Countries* (or the *Spanish Netherlands*) and in case he did so, from that time the King, was not longer to continue payment of the Army; but also took an Oath of *Mansfeild* to observe the Condition.

So that how powerful soever the Duke, was over King *James*, yet in none of these Particulars could he obtain his End; viz. in not prevailing upon the King to make War upon the King of *Spain*, nor in removing the Lord Keeper, nor in having the Earl of *Bristol* Committed to the Tower.

After the breaking of the *Spanish Match*, it was Observed that King *James's* Temper was quite so altered, that he forgot his Recreations of Hunting and Hawking at *New-Market*, but whilst he was there, he remained as in an Infirmary; and in a fit of Melancholy, told the Earl of *Carlisle*, that if he had sent *Williams* into *Spain* with his Son, he had kept Hearts-ease and Honour, both which he wanted. See the Bishop of *Litchfield* lib. 1. tit. 174.

King *James* then began to look back upon his former Actions, in having lost the Affections of his Subjects, and now intangled in the Difficulties which he saw Inevitably coming upon him, he charged the Prince often, in the hearing of the Lord Keeper *Williams*, to call Parliaments often, and to continue them, tho' their rashness sometimes did offend him: That in his own Experience, he never got any good by falling out with them. See the Bishop of *Litchfield* lib. 2. f. 16. tit. 16. How

How well King *Charles* observed his Father's Advice in any of these; nay, how Diametrically, he went contrary, and contrary to all the good Advice given him, in the very first Year of his Reign, will soon appear, and the miserable Effects which followed.

I have heard my Father (tho' not a Courtier, yet acquainted with many Courtiers) say; *that they would oft pray to God that the Prince might be in the right way where he set, for if he were in the Wrong, he would prove the most wilful of any King that ever Reigned.*

Tho' all must stoop to mighty *Buckingham*, yet that he might stand surer, who must be his only Support but *Laud*, Bishop of *St David*; who from picking Quarels in Lectures at *Oxford*, and being an Informer before, now is become Vice-gerent to *Buckingham*; a List of all the eminent Men for Promotion in the Church is given in; those, whom *Laud* would have Promoted were noted (O.) for *Orthodox*, and whom he liked not were marked (P.) for *Puritans*: These two stopt up both the King's ears, from any other Directions in Church or State, but what was infused by them; so early did King *James* his Prophecy to my Lord Keeper *Williams*, when he was so importunate to have *Laud* preferred, begin to be fulfilled; before a Year goes about you shall see *Buckingham* set the King at Odds with the Parliament, and yet engage him in a War against *Spain*; and before another goes about, engage the King in another against *France*, to satiate his Spite and Revenge against *Richlieu*, for crossing him in his Lust, and after 13 Years, *Laud* shall be the Fire-brand to set all three Nation's in-

to the Flame of a *Civil War*, as King *James* had foretold. But its time to come to Particulars.

The first Enterprize which the Duke engaged the King in, was not for the Recovery of the *Palatinate*, as he pretended, when he would have engaged King *James*, in a War against the King of *Spain*, but to Express his hatred against *Olivares*: and therefore a Fleet must be rigged up to make War in *Spain*, even when King *James* his Corps lay unburied, and at so unseasonable a time, when the Charges of King *James* his Funeral were so fast approaching; and when the Charges, the King's Ambassadors, the Earls of *Carlisle* and *Holland* ran so High at *Paris*, to Out-vy the French Splendor, for Solemnizing the Marriage between the King and the Queen: and these so much more augmented, by the Dukes preparations to fetch the Queen over, which when the Duke shall come to *Paris*, must out-shine not only the bravery of the *English* Ambassadors, but all that Cardinal *Richieu* could do.

From the unseasonableness of this Expedition, let's see by what Councils, *Buckingham* managed this designed Expedition; and herein take light from a Letter, which my Lord *Cromwel* wrote to the Duke, and which you may read in *Rushworth's Collections* fol. 199. after the Fleet had layn so long, that the Season of the Year was past, and most dangerous for Ships to put to Sea, the Letter is *Verbatim*.

They offer to lay Wagers, the Fleet goes not this Year, and that of necessity, shortly a Parliament must be, when it comes, sure it will much dis-

content you. Its wondred at, that since the King did give such great Gifts, to the Dutches of Chevereux, and those that went, how now a small Summ in the Parliament, should be called for at such an unseasonable time: And let the Parliament sit when it will, begin they will, where they ended. They say the Lords of the Council knew nothing of Mansfields Journey, or this Fleet, which discontents even the best sort, if not all. They say, it is a very great Burden your Grace takes upon you, since none know any thing but you. Its conceived, that not letting others bear part of the burden, you now bear, it may ruine you, (which Heavens forbid) much Discourse there is of your Lordship, here and there, as I passed home and back, and nothing is more wondred at, then that one Grave Man, is not known to have your ear, except my Good and Noble Lord Conway. All Men say, if you go not with the Fleet, you will suffer in it; because if it Prosper, it will be thought no Act of yours; and if it succeed ill, it might have been better if you had not Guided the King. They say your undertakings in this Kingdom, will much prejudice your Grace, and if God bless you not with Goodness, to accept kindly, what in Duty and Love I offer, Questionless my Freedom of letting you know the Discourse of the World, may much prejudice me. But if I must lose your Favour, I had rather lose it for striving to do you good, in letting you know the talk of the wicked World, then for any thing else; so much I heartily desire your Prosperity, and to see you trample the Ignorant multitude under Foot. All I have said, is the Discourse of this World, and when I am able to judge of Actions, I will freely tell your Lordship my mind, which when it shall not always incline to serve you, may all my Noble thoughts forsake me. The success of this Expedition you will hear soon.

Thus was the King of *Spain* requited for all the Noble Favours he had shewn the King when he was in *Spain*, This was the return of *Buckingham's* Protestation to the King of *Spain*, when they parted at the *Escorial*, that he would be an everlasting Servant to the King of *Spain*, the Queen, and the *Infanta*, and would do the best Offices he could, for concluding the business (the Match between the Prince and *Infanta*) and strengthening the Amity between the two Kingdoms; to have War made upon him, without any Declaration of it, by King *Charles*, so soon as it came in his power to do it.

After *Buckingham* became Lord Admiral, the *English* Navy, lay at Road unarmed, and fit for ruine, as you may see in *Rushworth fol. 3.* this was before the Treaty of the *Spanish* Match, and after the breaking of the *Spanish* Match; the Duke not only neglected the guarding of the Seas, whereby the Trade of the Nation, not only decayed, but the Seas became ignominiously infested by Pyrates and Enemies, to the loss of very many of the Merchants and Subjects of *England*, as you may read in the Fourth Article of the Charge of the Commons against him, in *Rushworth fol. 312.*

Objection.

But this was but an Accusation, and therefore it does not amount to a Proof.

Answer.

It ought not to be presumed the Commons would have Charged this upon him without proof, and I say it is a strong Proof upon the Duke, since the King Dissolved the Parliament rather than the

The Duke should come to a Tryal upon

However the Navy lay thus neglected, and Seas guarded, and tho' the *French* had broken the Treaty of Marriage with *France*, for lending them a Fleet, by not suffering *Mansfield* to Land his Army at *Calice*, yet the supplying the *French* with a Fleet to subdue the *Rochellers*, must be performed, and to this end, even whilst King *James* lay emburied, great Consultation between the Duke and the Marquess of *Effiat* was had how this might be done. The King had no men of War ready, but the Vaunt-Guard, and the *French* necessities were urgent, for all this while *Sobiez* rode Triumphant at Sea, the *French* not being able to encounter him, and thereby *Rochel* upon all occasions was beleivable by Sea.

However the *French* must be gratified, or this hopeful Marriage with *France*, might be disturbed: The Duke therefore by his power of Lord Admiral, besides the Vaunt-Guard, Pressed Seven Ships of the Merchants of *England*, into the Kings Service, viz. the Great *Neptune*, whereof Sir *Ferdinando Gorge* was Captain, the *Industry*, of 450 Tuns, whereof *James Moyer* was Captain. The *Pearl* of 540 Tuns, whereof *Anthony Tench* was Captain. The *Mary-gold* of 300 Tuns, whereof *Tho. Davies* was Captain. The *Loyalty* of 300 Tuns *Jasper Dare* Captain, The *Peter* and *John* of 300 Tuns, *John Davies* Captain, and 7thly. The *Gift of God*, *Henry Lewen* Captain.

The Duke, tho' the Navy were unprovided with Stores and Ammunition, could find Stores, and Ammunition sufficient for furnishing this Fleet,

and upon the 8th. of *May*, caused a Warrant under the Great Seal, to be issued to call the Companies aboard, which had been raised for the *French Service* with the first opportunity to go to such Port as the *French Ambassador* should direct, and there expect directions.

But see the Dissimulation and Hypocrisie of the Duke and *French Ambassador d'Esfiat*: For at this while they gave out that this Fleet should not be employed against the *Rochellers*, but against *Genoa*, which it seems took part with the King of *Spain* against the *French Kings* Allies in *Italy*; and that Vice-Admiral *Pennington* should not take in any more *French* into any of the Ships of this Fleet, then the *English* could Master: These were the Instructions which the Duke Communicated to the Council, and with these *Pennington* Sailed to *Diep*.

But when the Fleet arrived at *Diep* the Duke of *Momerancy* Admiral of *France* would have put 2000 Men into the *Industry*, and offered the like to every one of the other Ships in the Fleet, telling them they were to Fight against the City and Inhabitants of *Rochel*, with a proffer of Chains of Gold and other rewards to all those Captains, Masters and Owners, which should go in this Service, which they all with one consent rejected, and subscribed their Names to a Petition to *Pennington* against it; whereupon *Pennington* with the whole Fleet returned into the *Downs*, and from the *Downs* *Pennington* wrote a Letter to the Duke, by one *Ingram*, who saw the Duke read it, together with the last Petition, and by *Ingram*, *Pennington* became a Suitor to the Duke to be discharged of this Employment.

This put the Duke and *French* Agents to their Trumps, how to retrieve their Game, and tho' all these Transactions were concealed from the King and Council; yet the Protestants in *France* had got knowledge of this design, and the Duke of *Roban*, and Protestants of *France* by *Monsieur de la Touche*, solicited the King and Council against this design, and had good words and hopes from both: But *Buckingham* told him (*de la Touche*) the King his Master was obliged, and so the Ships must and should go.

But there was another Obstacle to be removed for this worthy design was at a full stop: The Duke had Imprest and Hired the 7 Merchant Ships upon the King of *Englands* Account, and for his Service, and so they could not be passed into the *French* Hands, without a new agreement with the owners; Hereupon his Grace was pleased to take a Journey to *Rocheſter*, to settle the agreement, which must be as the *French* Ambassadors would, whether the owners of the Ships would or not. I will be particular herein, not only to shew what a Minister of State *Buckingham* was, or what reliance there was, upon his Word, or Honour, but more especially for that the ruine, not only of the whole Interest of the Reformed in *France*, was a Consequence of this Action, wherein the Mercenary *Dutch* State Conspired also with the Duke; but it was the Foundation upon which the *French* Naval Grandeur was Built, as well to the terror of *Christendom* of *England*, at this very Day.

My Lord *Conway*, was the Dukes Nany, and tho' Principal Minister of State by the Dukes Promotion, yet made the Office to bend, which way soever

ver the Duke Nodded: This Lord *Conway* Directed a Letter upon the 10th. of *July 1625.* as from the King to Vice-Admiral *Pennington*, whereby he took upon him, to exprefs and signifie to him, that his Master had left the Command of the Ships to the *French King*, and that *Pennington* should receive into them so many Men as the *French King* pleased, for the time contracted for, (viz. 6 Months, but not to exceed 18) and recommended his Letter should be his sufficient Warrant: This Letter was delivered by one *Parker* to *Pennington* in the *Downs*, and the *English* Merchants had Constituted, one *James Moyer* and *Anthony Touchin* to Treat with the *French* Ambassadors (which were the Duke of *Cheveraux*, Monsieur *Vollocleer*, and the Marquis of *Effiat*) and at *Rochester*, the Duke sent back a Letter to *Moyer* and *Touchin* to come and Treat with the *French* Ambassadors, to settle business about the delivery up of their Ships and Freights, into the Power of the *French King*.

The Propositions which the *French* Ambassadors made *Moyer* and *Touchin* were,

1. That the *English* Captains, and their Companies should consent and promise to Serve the *French King* against all, none excepted, but the King of *Great Britain*, in Conformity to the Contract formerly passed between *D' Effiat* and them.

2. That they should consent and agree in Consideration of the assurance given them by the Ambassadors, to the Articles of the 25th. of *March* before, (which you may read in *Rushworth* folio 328.) whereby the *French King* should be Master of the said Ships, by indifferent Inventory, and that they by him should be Warranted against all Hazards

wards and Sea-fights, and if they miscarryed, then the value of them to be paid by the *French King*, who would also confirm this new Proposition, within Fifteen Days, after the Ships should be delivered to his Use, by good Caution in *London*.

3. That if the *French King* would take any Men out of the Ships he might, but without any Diminution to the Freight, for or in respect there-

To these *Moyer* in the behalf of the Merchants, answered; 1. That their Ships should not go to war against *Rochel*. 2. That they would not send their Ships without good Warrants. 3dly. nor without sufficient Security to their liking, for the payment of their Freight, and rendition of their Ships, or the Value thereof: For the Ambassadors security was by them taken not to be sufficient, and they Protested against it, and utterly refused the *peraffetted Instrument*: Hereupon Sir *John Maffey*, and Sir *Tho. Dove*, dissuaded the Duke from his Enterprize, telling him he could not Justify, or answer the delivery of the Ships.

However *Buckingham's* Dictatorship, would not admit of Justice or Reason; but Commanded *Moyer* and the rest, that they should obey the Lord *May's* Letter, and return to *Diep* to serve the *French*, and that so was the Kings Pleasure, (tho' the King told the Duke of *Roban's* Agent, *de la Touche* otherwise) yet privately at the same time the Duke told them, that the Security offered by the Ambassadors, was insufficient, and that tho' they went to *Diep*, they might and then should keep their

their Ships in their own Power till they had made their own Conditions.

Hereupon the Duke of *Chevereux* and *Willocke* Constituted *D' Effiat* their Deputy to Treat with the Merchants at *Diep*, for the delivery of the Ships into the *French* Power, but with him the Duke sent Mr. *Edward Nicholas* his Secretary, with Instructions, by word of Mouth, to execute the Kings Pleasure by my Lord *Conway's* Letter, for putting the Merchant Ships into the *French* Power upon the Conditions peraffetted at *Rocheſter* by the three *French* Ambassadors. But the Captains of the Ships, refused to submit to the Conditions tho' Mr. *Nicholas* in the Kings Name, from day to day threatned them, and vehemently preſſed them to deliver up their Ships, upon the former Propositions.

Hereupon *D' Effiat* (to have farther Instructions from the Duke) entred into a New Treaty with the Merchants, and like a *French* Merchant got Letters to be ſent into *England*, that the Peace was concluded with thoſe of the Religion of *France*; and that withing 14 days, the War should break out in *Italy*, with a deſign upon *Genoa*, a Matter of great Importance againſt the *Spaniard*. Hereupon the Duke procured the King to write a Letter to *Pennington*, dated *July 28th.* to this effect.

HIS Majesty did thereby Charge and Command the ſaid Captain *Pennington*, without delay to put his Highneſſes former Command in Execution for Conſigning the *Vaunt-Guard* into the Hands of *Marquis D' Effiat* for the *French*, with all her Furniture,

re, assuring her Officers, his Majesty would provide for their Indemnity: And to require the other Seven Merchant Ships, in his Majesties Name, to put them-
selves into the Service of the French King, according to the Promise his Majesty had made to him; And in case of backwardness or refusal, Commanding him to use all forcible Means to Compel them, even to Sinking; with a Charge not to fail, and this Letter to be a Warrant.

This Letter was delivered to Pennington in the beginning of August, by Captain Wilbrabam: Hereupon Pennington went back out of the Downs, carrying with him the said Letters, and certain Instructions in writing from the Duke to his Secretary Nicholas: And about the time Pennington returned to Diep, Nicholas threatened the Captains of the Ships, and told them it was as much as their lives were worth, if they delivered not up their Ships to the French, whereupon some of them would have come away, and left their Ships, and fled into Holland.

Upon Pennington's coming to Diep, he delivered the Van-guard absolutely into the French power, to be employed as they pleased, and acquainted the rest of the Captains with the King's command, that they should likewise put their Ships into the French power, which they all refused to do, unless they might have good Security for the delivery of their Ships, or Satisfaction for them.

Hereupon Pennington went on shoar, and spoke with d'Effiat, and upon his return told the Captains, they must rely upon the Security peraffected in England; whereupon the Captains weighed Anchor, and prepared to be gone, whereupon Captain Pen-

Pennington shot at them, and forced them all to come to Anchor again, except the brave Sir *Ferdinando Gorge*, in the *Neptune*, more brave in running away from this abominable Action, than Charging into the midst of an Enemy.

When the Captains came ashore, they spoke with Mr. *Nicholas*, who enforced them to come to new Agreement, which you may read in *Raistrick* f. 335, and to deliver up their Ships into the French power, but not one of them would take the French Pay, in this Expedition, except one Gunner, who was at his return killed in charging of a Cannon not well spunged by him; and the Duke's Secretary *Nicholas*, had a Diamond Ring, and a Hat-band set with Diamond Sparks, given him by the French Ambassador, for his pains taken in this noble Employment.

This was the second Noble Design of this great Minister of State *Buckingham*, whilst King *James* lay unburied, we will now proceed to the Third wherein you'll see how well *Richlieu* requited *Buckingham's* service, in Accommodating the French with a Fleet to subdue the *Rochellers*.

Though the Duke did not personally manage the Treaty of the French Marriage at *Paris*, as he did the Spanish at *Madrid*, for the Reasons aforesaid, yet none but he, now the whole Treaty was Consummated, and so firmly performed on the English part, must fetch the Queen to the King; and when the mighty Preparations for the Magnificence of this mighty Duke were compleated, away he hied to *Paris*, where he arrived the 24th of *May*, and there he stayed the full Term of seven days, where in he performed more wonderful Exploits, than he

had done in so many Months before at *Madrid*; and these we will take from the Pen of the noble *Nani*, who was out of the reach of *Buckingham's* envy, or the flattery of the *English Court*, and as near as I can in his Words, *Ann. 1625. fol. 221, 222.*

Buckingham being in *France* to carry back *Charles* his Bride, it seemed, that in the free Conversations of that Court, he had taken the boldness to discover something of his Inclinations to the Queen, whilst the Cardinal was inflamed with the same Passion, - or rather feigned to be so, with Aversion in her, who with Vertue equal to the Nobleness of Blood, equally despised the Vanity of the one, and abhorred the Artifices of the other: (I think *Nani* herein was mistaken, as will soon appear) Whereupon the Factions arising among the Ladies of the Court, were not so secret, but that the King was obliged to make a noise, and banish some; but the Contention between the two Favourites was for Power, and *Richieu*, who by reason of the Favour of the King in his own Kingdom, prevailed in Authority, procured *Buckingham* many Mortifications and Disgusts; The other was no sooner arrived at London with the Bride, but to make a shew of Power not inferiour, by ill using her, sought to revenge himself. The Catholick Religion served for a Pretext, whilst the Family brought out of France, according to Contract of Marriage, practised it: Hence Disgusts brake forth to such a degree, that the Minds of the Spouses being alienated, and Affections between the Crowns themselves disturbed, it looked as if Discord had been the Bride-maid at that Wedding. You'll hear more of this hereafter.

Its observable, when Humor, not Council, governs Actions, how it runs into the contrary Extremes. King *James* in confidence of being supplied

ed of all his Wants by the *Spanish Match*, in great Displeasure broke up the Parliament in the 18th Year of his Reign, and imprisoned many of the Members, for presuming to advise him against it, and this King expected the Parliament should make good all the Duke's extravagances, for the Tale which the Duke told in Parliament, the 21st Jan for breaking off the *Spanish Match* when he kept back the Earl of *Bristol*, as you heard before, from making his Defence, and proving the contrary of what *Buckingham* had told.

And so confidently was the King possessed, that that Parliament continued in the same mood, that I have heard one of Sir *Edward Coke's* Sons say that tho' when King *Charles* came to the Crown Sir *Edward* would have waited upon him, in testimony of his Duty and Service, the King would not admit him into his presence, yet the King seemed to know of him, whether he might not continue in this Parliament, notwithstanding the King's death, which Sir *Edward* said could not be, for that upon the King's death, the Dissolution followed; yet upon the Election, not ten of the old surviving Members, but were again chosen.

This Parliament met upon the 18 of *June* 1629 where the King laid open to them, that the Business he called them for was, that whereas they had advised him to break off the two Treaties, which were for the *Spanish Match*, and recovery of the *Palatinate*; and that his Father being thereby engaged in a War for the Recovery of the *Palatinate* they would now assist him in the carrying on of it. The Speech you may read in *Rushw. f. 175, 176.*

But Mr. *Rusworth* is mistaken, and I wonder *Nelson* and *Franklin* took no notice of it, that my Lord Keeper *Coventry* did second it; for it was my Lord Keeper *Williams*, whose quaint and learned Speech you may read in the 2d. Book of the Life of the Keeper, by the Bishop of *Litchfield*, f. 9, 10. nor was *Williams* displaced till the 23d. of October following, as you may see fol. 27.

The Commons before they entered upon Grievances, Sir *Edward Coke* moving it, to ingratiate themselves with the King, voted him two entire Subsidies, and the last Parliament, but the Summer before, gave his Father 3 Subsidies, and 3 Fifteenths, which were more than ever any Parliament granted the King in three-fold the time; but that we may better look forward, look a little back.

King *James* upon the Breach of the Spanish Match, put forth a Proclamation for putting the Laws in Execution against Popish Recusants; but upon the first of May, the King sent this Warrant to my Lord Keeper *Williams*:

Charles Rex,

Right Reverend, and Right Trusty, &c. Whereas we have been moved, in contemplation of Our Marriage with the Lady Mary, Sister of Our dear Brother, the Most Christian King, to grant to Our Subjects, Roman Catholicks, a Cessation of all singular Pains and Penalties, as well Corporal as Pecuniary, whereunto they are subject, or any ways may be liable by any Laws, Statutes, Ordinances, or any thing whatsoever, for, or by reason of their Recusancy or Religion, in every Matter or Thing concerning the same. Our Will and Pleasure is, and We do by these Presents, authorize and require you

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upon

upon the receipt hereof, That immediately you do give Warrants, Order and Directions, as well unto all Our Commissioners, Judges, and Justices of the Peace; as also unto all others Our Officers and Ministers, as well Spiritual as Temporal, respectively, to whom it may appertain, that they, and every of them, do forbear all, and all Manner, and Cause to be forborn, all manner of proceedings against Our said Subjects Roman Catholicks, and every of them, as well by Information, Presentment, Indictment, Conviction, Process, Seizure, Distress, or Imprisonment, or any other Ways and Means whatsoever, whereby they may be molested for the Causes aforesaid. And further also, That from time to come, you take notice of, and speedily redress all Causes and Complaints for, or by reason of any thing done contrary to this Our Will, and this shall be unto you, and to all to whom you shall give such Warrant, Order or Direction, a sufficient Warrant and Discharge in that behalf. And this is for much more remarkable, that this Warrant was granted when Buckingham was so busy in setting out the Fleet against the *Rocbellers*.

Here was a Suspension of the Laws, with a witness, by the Kings absolute Will and Pleasure notwithstanding all the Officers, by Law were under the Obligations of their Oaths to the contrary, and for the First Fruits of this Warrant the King granted upon the 10th. of May, a special Pardon to Twenty Roman Priests, of all Offences committed by them against the Laws.

Can any Man now believe, that the Parliament 18th. Jac. should be so Jealous, that the Spanish Match, would be a Door to let in Toleration of Popery, and therefore advis'd the King to break off the Match with Spain, and yet this Parliament should

should be so purblind, as not to see this put in Execution, at the Instance of the *French* in this King's Reign ; especially whenas the *Spaniards*, (unless in the Reign of Queen *Elizabeth*) were the *English* Friends and Allies, and with whom the *English* had a most Beneficial and Gainful Trade for 22 Years in King *James*'s Reign, whereby they became doubly more Enriched, then in the 44 Years Reign of Queen *Elizabeth* ; whereas the *French*, as they were a Neighbouring Nation, were ever Faithless and Enemies to the *English* Nation, and with whom, it always had a Trade to the *English* Loss, as much to the Inriching of *France*, as to the Impoverishing the *English*.

Hereupon the Commons sent Sir *Edward Coke* with a Message to the Lords to desire their Concurrence in a Petition to the King against Recusants, which was agreed to, and presented to the King, who answered, *That he was glad the Parliament were so forward for Religion, and assured them, they should find him as forward ; that their Petition being Long, could not be presently answered.*

Nor were the Commons less alarm'd, at the countenancing the *Arminian* Sect ; whose Tenents next to *Laud*, Mr. *Richard Mountague* Propagated, and about the latter end of King *James*'s Reign, published a Book Entituled, *A new Gagg, for an old Goose*, which the Parliament took notice of, and referred it to the Arch-Bishop of *Canterbury*, who disallowed it and sought to suppress it, and ended in an Admonition given to *Mountague*, but after King *James* his death, who was an Enemy to these Tenets, *Mountague* then Printed it again, and Dedicated it to Kings *Charles*, now *Buckingham* and *Laud* ruled all.

Hereupon the Commons brought *Mountague* to the Barr of their House, and appointed a Committee to examine the Errors therein, and gave thanks to the Arch-Bishop for the Admonition to *Mountague*, whose Books they voted to be contrary to the Articles established in Parliament, to tend to the Kings dishonour, and disturbance of the Church and State, and took Bond of *Mountague* for his appearance.

But the King Intimated to the House, that the things determined concerning *Mountague*, without his privy did not please him: for that he was his Servant and Chaplain in Ordinary, and that he had taken the business into his own Hands, whereat the Commons seem'd much displeased.

This was the first breach between the King and Commons, and here let's see what hasty steps, *Laud* took to fulfil King *James's* Prophecy of him, in making Dissentions, and to be a Fire-brand to set the Nation on Fire, by fomenting and exasperating the Factions in it. In this Act of *Mountague's*, you may observe a twofold Crime. First his Contempt and Disobedience to the Church of *England*, (which *Laud* pretended so much to exalt) and to the Parliament, that his Book being Questioned in Parliament, and by the Commons committed to the Arch-Bishop, who not only disallowed and suppressed it, but *Mountague*, being Admonished against it, he should, upon King *James's* death, presume to re-print it, in defiance to the Metropolitan of *England*, contrary to his Canonical Obedience, and to the Commons; thereby to make a Dissention between the King and them; and secondly, his being soaudacious, as

to Dedicate it to the King, thereby to engage the King in defence of his Arrogance and Disobedience, and for a Reward of this special piece of Service, before King *James* was two Months dead, to be made the King's Chaplain in Ordinary to be thereby protected from Justice.

But if it be asked how it does appear, that *Laud* was concerned in this Act and Promotion of *Mountague*; I answer there is a three-fold Reason to induce the belief of it; first, the end for which this book was wrote, for Promotion, of the *Arminian* Tenents, whereof *Laud* was so great a stickler. Secondly none else but *Laud* could have such an Ascendant in things of this Kind, and to cause so early a Promotion, for such a piece of service: but thirdly, which clears the Question; when the King's Necessities caused him to call another Parliament, about six or seven Months after, *Laud* fearing the Commons falling again upon *Mountague*, as they did, *Laud* founded the King by *Buckingham*, whether the King would leave *Mountague* to the Parliament; and finding the King determined to do it, in great Zeal, said, *I seem to see a Cloud arising and threatning the Church of England, God in his Mercy dissipate it*, as you may read in *Rush* f. 203. as if the questioning a seditious and a disobedient fellow to his Superiour in the Church, were a Cloud to threaten the Church of *England*.

If *Laud* were the first, that sowed Dissention between the King and Parliament, upon the pretence of the Church of *England*, *Buckingham*, shall be the second, upon the account of the Church of *Rome*: and herein you'll see the Temper of *Buckingham*, to any which should presume to give him good Council.

The Dissention between the King and Commons began with *Mountague* at *London*, where the Plague then raged, and all *England* over, so that most of the Members, shrunck away, to flee the danger of it, and those that stayed were in danger of their Lives: This put the King into a marvellous straight what to do, for his Necessities, as *Buckingham* managed Affairs, and his being imbroiled in the *Spanish* War, were such as the Subsidies granted the King's Father last Year, and those granted the King, could not support.

Hereupon the King calling a Council at *Hampton Court* what to do; the King proposed upon the 10th. of *July* to Adjourn the Parliament to *Oxford* which was mainly favoured by the Duke: my Lord Keeper *Williams* opposed the Proposition for two Reasons; First, That the infection had overspread the whole Land, so that no Man that travelled from his own home, knew where to lodge in safety; that the Lords and Gentlemen would be so distasted to be carried abroad, in so Mortal a time that its likely when they came together, they would Vote out of Discontent and Displeasure; that his Majesty was ill Counsell'd to give Offence in the bud of his Reign, tho' small ones: secondly, the Parliament had given two Subsidies at *Westminster* though they remove to *Oxford*, it is yet the same Sessions; and if they alleadge, it is not the use of the House to give twice in a Sessions, (tho' I wish heartily they would) yet how shall we plead them out of Custom, if they be stiff to maintain it? It is not fit for the reputation of the King, to fall upon a probable hazard of a Denial. The Duke which heard this with impatience, said, *That Pub-*

ick Necessity must sway more than one Man's jealousy.

The Keeper hereupon besought the King to hear him in private, and acquainted the King, That the Duke had Enemies in the House of Commons, who had contrived Complaints, had made them ready to be preferred, and would spend time in Oxford about them. And what folly it were to continue a Session, that had no other aim, but to bring the Duke upon the stage? But if your Majesty think, that this is like an Hectick, quickly known, but hardly cured; my humble Opinion is, That the Malady, or Malice, call it what you will, may sleep while after Christmas; there is no time lost in whetting the Scyth well. I hope to give an Account by that time, by undertaking with the chief Sticklers, that they shall supersede their bitterness against your great Servant, and that passage to your weighty Councils, may be made smooth and peaceable.

But why, said the King, do you conceal this from Buckingham? Good Sir, said the Keeper, fain I would begin at that end, but he will not bear me with moderation: And because it was the mishap of the Keeper, to give the first notice of this Storm that was gathering, the Duke in defiance, Bid him and his Confederates do their worst, and besought the King, that the Parliament might be continued, and he would confront the Faction; tho he lookt upon himself in that innocency, that he presumed they durst not question him.

Buckingham's Will must be a Law, so on the 10th of July the Parliament was Adjourned to Oxford, to meet the first of August; but to sweeten them, the Keeper, in the presence of both Houses, in the King's Name promised them, That the rigour of the Law against popish Priests should not be deluded;

Here see the Levity of the King, and the Dominion *Buckingham* had over him, for upon the 12th. of *August*, the King caused a Warrant to be sealed, to pardon six *Roman* Priests.

When the Parliament met at *Oxford*, the Speaker had no sooner taken his Chair, but a *Western* Knight enlarges the sense of his sorrow, that he had seen Pardon for Six Priests bearing Test *July* 12th whereas but the day before it, when they were to part from *Westminster*, the Lord Keeper had promised in the Kings Name, before them all, that the Rigour against the Priests should not be delayed; hereupon the Members were in such an heat that they strived who should blame it most; what their Hopes blasted in one Night? what the Kings promise so early broken? But for the Lord Keeper that brought the Kings Message, and knew it best, and for a Bishop to set the Seal to such a Warrant, for him to do wrong to Religion, it was Enormous. Hereupon Mr. *Bembo* a Servant to the Clerk of the Crown, confessed he brought the Writ to the Keeper to be Sealed, but it was stopt, Mr. *Devike* Servant to Sr. *Edward Conway*, brought it from his Master, but it could not speed. It was my Lord of *Buckingham's* hard hap to move the King to Command the Warrant to be Sealed, in his sight at *Hampton-Court* the Sunday following: the Commons hereupon turn'd about to clear the Keeper, and commend him, but what pleased the Parliament at *Oxford*, did not please the Court at *Woodstock*, where this had not pleased the King.

The Commons in this Heat, desired a Conference with the Lords in *Christ-Church-Hall* in the After-

Afternoon, where Sir Edward Coke opened the complaint, sharply against my Lord Conway, and like an Orator, did slide away with a short *Animadversion* upon the Duke, the Commons enlarged hereon, that the Duke that put the King upon this, was the highest in the King's favour, and that all the important Places of Honour, and Offices by Sea and Land, were in his disposal; which you may read at large in the Life of the Lord Keeper, the 2d. part fol. 14, 15. tit. 14, 15.

The Lord Keeper at *Woodstock* was Censured by the Duke, and his Creatures for this; the Keeper therefore unsent for comes to *Woodstock*, and thus applies himself to the Duke,

My Lord, I am come unsent for, and I fear to displease you: Yet because your Grace made me, I must and will serve you, though you are one that will destroy that which you made, Let me perish; yet, I deserve to perish ten times, if I were not as earnest, as any Friend your Grace hath, to save you from perishing; the Sword is the cause of a Wound, but the Buckler is in fault, if it do not defend the Body. You brought the two Houses hither, my Lord, against my counsel, my suspicion is confirmed, that your Grace will suffer for it: What's now to be done? but to wind up a Session quickly. The Occasion is for you, because two Colleges in the University, and eight Houses in the Town, are visited with the Plague. Let the Members be promised fairly and friendly, that they meet again after Christmasts; requite the Injuries done to you with Benefits, not Revenge, for no Man that is wise will shew himself angry with the People of England. I have more to say, but no more than I have said to your Grace above a Year past at White-hall; confer one or two of your great Places upon your fastest Friends, so shall you go

in Envy, and not less in Power : Great Necessaries will excuse hard proposals, and horrid Counsels: St. Austin says, it was a Punick proverb in his Country, Ut habeas quietum tempus perde aliquid. At the close of the Sessions, declare your self to be the forwardest to serve the King and Common-wealth, and to give the Parliament satisfaction. Fear them not when they meet again in the same body, whose ill Affections I expect to mitigate ; but if you proceed, trust me with your Cause, when it comes into the House of Lords, and I will lay my life upon it, I will preserve you from Sentence, or the least Dishonour. This is my Advice, my Lord, if you like it not, truth in the end will find an Advocate to defend it. The Duke replied no more but, *I will look to whom I trust, and flung out of the Chamber, with Menaces in his Countenance.*

Mr. Rushworth, fol. 202. says, That the Keeper told the Duke in Christ-Church, when the Duke rebuked him, for siding against him, in that he engaged with William, Earl of Pembroke, to labour the Redress of Grievances, that he was resolved to stand upon his own leggs ; and that the Duke should answer, that be your Resolution, look you stand fast. Where Mr. Rushworth had this, I cannot tell ; but this being so unlike the Keeper's carriage to the Duke, both in K. James his time, and after ; and also to the Narrative before, set forth by the Bishop of Leitchfield, who being the Keeper's Chaplain, could have a better inspection herein, than Mr. Rushworth could have had ; but especially since the Reasons which the Keeper put into the King's hands, which you may read in the Life the Keeper, 2d. part, tit. 18. to satisfy the King of his Carriage, while the Parliament sat at Oxford, are so contrary to what Mr. Rush-

worth

Worth says, I incline rather to believe the Bishop.

However the Commons presuming to enquire into *Buckingham's* Actions, are censured at *Woodstock* for spiteful and seditious, and therefore not fit to continue, but to be dissolved, which being understood by the Keeper, with Tears and Supplications he implored the King to consider, there was a time when his Father charged him, in the Keeper's hearing, to call Parliaments often, and to continue them, tho' their rashness might sometimes offend him; that by his own Experience, he never got good by falling out with them. But chiefly, Sir said he, let it never be said, that you kept not good Correspondence with your first Parliament; do not disseminate so much unkindness through all the Counties and Burroughs of your Realm; The Love of your People, is the *Palladium* of your Crown: Continue this Assembly together to another Session, and expect alteration for the better: If you do not, the next swarm will come out of the same hive.

The Lords of the Council did almost all concur with the Keeper, but it wanted *Buckingham's* suffrage, who was secure, the King's Judgment would follow him against all the Table. Thus far the Bishop.

But there was another Cause which the Bishop does not mention, but *Mr. Rushworth* does, fol. 336, which caused the hasty dissolution of this Parliament. Captain *Pennington* was come to *Oxford* from delivering the Fleet into the *French* power, to give Account of the reason of it; but by the Duke's means was drawn to conceal himself, and not to publish in due time his knowledge of the premises,

ses, as it shortly after appeared: And if this should have been made known, it would not have been in the power of the Keeper to have brought off the Duke from Sentence, or the least Dishonour: So upon the 12th of *August* the Parliament was Dissolved; but before their Dissolution, the Commons made this following Declaration.

WE the Knights, Citizens and Burgeses of the Commons House of Parliament, being the representative Body of the whole Commons of this Realm, abundantly Comforted, in his Majesties late Gracious answer, touching our Religion, and his Message for the care of our Health; Do solemnly vow and protest, before God and the World, with one Heart and Voice, that we are resolved, and do hereby Declare, that we will ever continue most Loyal, and Obedient Subjects to our most Gracious Sovereign Lord King Charles, and that we will in convenient time, and in a Parliamentary way, freely and Dutifully do our utmost endeavours, to discover and reform the Abuses and Grievances of this Realm and State, and in like sort to afford all necessary supply to his most Excellent Majesty upon his present Occasions and Designs: Most humbly beseeching our said Dear and Dread Sovereign in his Princely Wisdom, and Goodness, to rest assured of the true, and hearty Affections of his poor Commons; and to esteem the same to be (as we conceive it is indeed) the greatest Worldly reputation and security, that a Just King can have; and to account all such as Slanderers of the Peoples Affections, and Enemies to the Common-wealth, that shall dare say the contrary. But the mighty Buckingham, shall not only dare to say, but dare to do the contrary: So much easier is it, in such

such a Reign for a Favourite to ruine a Nation,
 then for a Nation to have Justice against a Favourite.

Here let's stay a little, and see what State the King had brought himself to, within less then five Months, after he became King. First, he took *Mountague* to be his Chaplain, a Virulent, Seditious ill-natur'd Fellow, to protect him from his contempt against his Metropolitan and the Parliament, for publishing new-fangl'd Opinions, to the disturbance of the Peace of Church and State; and when the Commons question'd *Mountague* for them; he took part with him against them, alleadging he had taken the Business into his own hands, whenas he took *Mountague* into his power to protect him from the Justice of them, and his Metropolitan, but never took other notice of *Mountague's* business.

Secondly, he took upon him in compliance with a foreign Prince, and Enemy to the Nation, to discontinue with the Laws against *Romish* Priests, which by the Constitutions of the Nation he could not do.

Thirdly, he broke his Word with the Parliament concerning the Execution of these Laws, within a day, or two, at most, after he gave it.

Fourthly, he made War upon the King of *Spain*, without any Declaration of War, whereas just Princes demand Reparations for Wrongs done, and endeavour to compound their Differences amicably, and in case of Refusal then to Proclaim War; and this not only against his Father's Counsel, but the Advice of his Father's Counsel.

Fifthly, without the Advice of his Council, he sent the *French* a Fleet to subdue the *Rebellers*, and the

the *Reformed* in *France*, though they had given him no Offence; and the *French* King had perfidiously broke his Promise with his Father, and himself in denying *Mansfield's* Army to land.

6. He had against the Advice of his Father, broke the bonds of Amity between him and his Subject by the Dissolving the Parliament, whereby he lost the only Means to Support him in his War against *Spain*; and now *Buckingham* stood ready primed to Engage him in a War against *France*; yet in this deplorable state, no free Council must enter the King's ears, which must be open to nothing but what *Buckingham* and *Laud* infused, a sad preface to what followed, as well upon *Buckingham* and *Laud*, as upon the King himself: Now let's see the success of the War against the *Spaniards*.

Besides the Fleet designed against *Cales*, the King fitted up another Fleet, in conjunction with the *Dutch* States; to block up *Dunkirk*; as well as he had lent a Fleet in conjunction with the *Dutch* to subdue the *Rochellers*; but this being sent out to Sea, about the middle of *October*, the most perilous Season of all the Year, for great Ships to put to Sea, (a Consideration, either not understood, or not regarded by our Land-Admiral *Buckingham*) a terrible Storm arose, which separated and dispersed both Fleets, so as gave the *Dunkirkers* an Opportunity to put to Sea, with 22 Men of War, and 4000 land Soldiers: This alarm'd the Council, lest these should Land either in *England* or *Ireland*; when as in neither any Provision was made to oppose them, especially in *England*, where the Earl of *Warwick* had Orders to dismiss 300 of the Trained-bands of *Essex* that were to secure *Harwich*; however

is for here to mention the Noble Act of that Earl, in building *Langar-Fort* on *Suffolk* side, to secure the Entrance into the Port, the most famous of all the *English* Eastern Coasts: and which is yet continued to this day: But the Season of the Year was such, as prevented this fear, for I find no other account of the Design of the *Dunkirk-Fleet*.

Nor had the Design upon *Cadiz* more success, than that upon *Dunkirk*, for a furious storm, arose in their Passage (it may be the same which seperated, the *English* and *Dutch* before *Dunkirk*) which so scattered the Fleet, that of 80 no less than 50, were Missing for seven day's.

This was but the beginning of the misfortunes of this miserable Expedition: for the Confusion of Orders, were such, as the Officers and Soldiers scarce knew who to Command, or whom to Obey; so that when the Fleet arrived at *Cadiz*, a Conquest which would have paid the Charge of the Voyage, and to the Honour of the *English*, offered itself, for the *Spanish* shipping in the Bay of *Cadiz*, lay unprovided of defence, so as the surprising them was both easy and feasible, but this was Neglected; and when the Opportunity was lost, the Army landed, and Sir *John Burrough's* took a fort from the *Spaniard*, but was forced to quit in again, for the Soldiers finding therein great store of *Spanish* Wines, so debauched themselves, that had the *Spaniards* known the Condition, they were in, they might have destroyed them all.

Hereupon they were put on Board again, and the Generall, my Lord *Wimbleton*, designed to stay so days, to wait for the *Spanish* Plate-Fleet, which was

was dayly expected, from the *West Indies*; But the evil Condition of the Fleet by reason of a general Contagion, enforced the Generall to abandon the hopes of so great a Prize, so having effected nothing, he returned home with Dishonour in November following.

This gave no small occasion of Clamour, that a Fleet so well Provided and mann'd, should land their Men in an Enemies Country, and return without some honourable Action: But where the fault lay could not be found out; nor was any Punished for failing to Perform his duty: Yet the General for some time was not admitted into the King's presence, and some of the Collonels of his army accused him, and some Seamen aggravated the Accusation; Hereupon the General was examined before the Council, and he laid the fault upon others in the Fleet, who let the King of Spain's ships pass without fighting them according to Order; and they on the other hand said, they had no Order from the General to fight.

But how miserable soever the success of this Fleet was, yet it must not be in the Kings judgment ascribed to any improvidence either in the setting forth, or conduct after of it: But to God's pleasure (who is the Lord of Hosts, and unto whose Providence and good Pleasure, his Majesty doth and shall submit himself, and all his Endeavours) not to give that Success as was desired. See the King's Declaration for his dissolving his 2d. Parliament, which you may read in *Rushworth*: f. 412.

But since the King had no better Success against the King of Spain, by open force; upon the return of the Fleet, he gave strict Command, that no Subjects

Subject of the Realm of *England*, should have any Trade or Commerce, with any of the Dominions of the King of *Spain* or the Arch-Dutches, in *Flanders*, upon Pain of Confiscation of both ships and Goods, that should be found upon Voyage of Trade into any of their said Dominions: But hereby the Loss manifoldly fell more upon the *English* than *Spaniards*; for these Trades above all others, were the most beneficial and gainfull to the *English*; and by the Peace which the King's Father made with *Spain*, and the Free Trade which the *English* thereby enjoyed in *Spain* and *Flanders*, the Nation became doubly more enriched, than in the long Reign of Queen *Elizabeth*, whis was double as long, as King *James's*, after he had made this Peace! So as the King by breaking of the Parliament, disabled himself of Meanes for carrying on the War against *Spain*, so by this inhibition of the *English* to trade with *Spain*, he disabled his subjects from giving him such Assistance, as other ways they might; but these were no considerations, Where *Bückingham* and *Laud* governed all; and those worthy and honourable States-Men, the Archbishop of *Canterbury*, the Keeper *William's*, and the Noble Earl of *Bristol*, were not only discountenanted, but disgraced, and not permitted to come into the Council.

How insuccessfull soever the Expedition was, yet another Fate attended that Fleet lent to the *French*: for the *Dutch* joyning a Fleet in Conjunction with the *French* Fleet, Commanded by the Duke of *Monterancy*, fought the Fleet of the *Rochellers*, and utterly subdued it; and then Reduced the Isles of *Rhee* and *Oléron* to the *French* Power; but tho'

the miserable Fate of the *Reformed* began here; yet the Dishonour of the *English Nation* shall soon after follow it, so that now *Ricblien* might write
florebunt Lilia Ponto.

Tho' the King Dissolved the First Parliament, to prevent their Impeaching *Buckingham*; yet it was not in *Buckingham's* power to supply the Kings necessities, but they put him upon the necessity of calling another, and here you may see the little Artifices, the Kings Grand Ministers of State put him upon, for the attaining his ends, and how quite contrary they succeeded.

There were Five Persons, whom the Duke took to be his Enemies (if they were not so, he had given them cause enough to be so) two of them were Peers, and three of them Commoners; the Peers were the Earl of *Bristol*, and Bishop of *Lincoln*, the Commoners were Sir *Edward Coke*, Sir *Robert Philips*, (a Person whose Memory I revere, and should be glad, I knew any of his Descendants, to whom I could acknowledge it) and Sir *Thomas Wentworth*: These Persons the Duke feared would be leading Men in both Houses, and was resolved that to his Power he would keep them out: He was sure the Earl and the Bishop, as Peers of Common Right, would have their Writs of Summons, and was as sure, the other three would be chosen Members of the House of Commons.

In looking a little back you'll better see forward. You have heard how by the Dukes Power in King *James's* Reign, The Earl of *Bristol*, was first kept back from coming into *England*, and after he was come over, was kept under Restraint, and denied
admis-

admission into the Kings Presence, least he should have spoiled the Dukes fine Tale in Parliament, concerning the Spanish March; And also after he had answered every Particular of it, without any reply, and that after King James had promised the Earl should be heard in Parliament against the Duke, as well as the Duke had been against the Earl, King James fell sick, and dyed thereupon before the Parliament met again.

After King James his Death, the Earl wrote a most humble Letter to King Charles, imploring King Charles's Favour, and desiring the Dukes Mediation, which the Duke answered the 7th. of May 1625 that the resolution was to proceed against him, without a plain and direct Confession of the Point, which he (*the Duke*) had formerly required him to acknowledge, and in a Courtly manner, told him, *That he would advise him to bethink himself in time what would be most for his good.*

In the mean time the Earl received his Writ of Summons to the Parliament; whereupon the Earl sent to the Duke, that he would do nothing, but what was most agreeable to his Majesties Pleasure, which the Duke answered: *I have acquainted his Majesty with your requests towards him, touching your Summons to the Parliament, which he taketh very well, and would have you rather make your excuse for your absence, notwithstanding your Writ, then to come your self in Person.*

Hereupon the Earl desired a Letter of Leave, under the Kings Hand for his Warrant; but instead thereof, he received from the Lord Conway, an absolute Prohibition, and even to restrain and Confine him, as he had been in King James's time,

tho' the Earl was freed from it by King *James*, and in this Restraint, the Earl continued three Quarters of a Year, during which time, he was remov'd from all his Offices and Places he held during that King's life ; and though he had laid out the greatest part of his Estate for their Majesties service, and by their particular Appointment, he could never be admitted so much as to clear his Accounts, yet hereof the Earl never made the least complaint.

Upon the King's Coronation, when Princes usually conferr Acts of Grace and Favour, the Earl address'd himself to the Duke, and then became an humble Suitor to the King for his Grace and Favour, to which he received an Answer, so different from what the King's Father and the King himself had given him, since the Earl's return into *England*, that the Earl knew not what Construction to make of it.

After the Writs of Summons for the Meeting this Parliament was out, the Earl address'd himself to my Lord Keeper *Coventry*, to be a suitor to the King in his behalf, that the Privilege, which of Right is due to every Peer, might not be denied him, which not taking effect ; the Earl petitioned the House of Peers, to mediate to the King for his Writ, which was granted, but accompanied with a Letter from the Keeper, not to take his place in Parliament.

As *Bristol* was the worthiest States-man in either of these King's Reigns, and whose Integrity, in all the varieties of Employments, none but *Buckingham* and *Conway* presumed (at least that I can find, or ever heard of) so much as to carp at ; so *Lin-*

coln's quaint and excellent, not pedantick Learning, both in Divinity, History, the Civil and Canon Law, and not a stranger to our *English*, excelled all others : These were adorned with a lively and excellent Elocution, with a wonderful promptness and presence of Mind, in giving Judgment in the most nice and subtle dark Points of State, accompanied with an indefatigable Industry in prosecution of them : These parts were so well observed in him by King *James*, that without any sollicitation of *Buckingham*, or any other, but whilst he sollicitated for another, the King conferred the Lord Keeper's place upon him, as you may read in his Life, fol. 52. iii. 62. and after, unsought for, the King promised him the next avoidance of the Archbishoprick of *York*, or any other Ecclesiastical preferment, and so *Reddy* stood he in King *James* his favour, that *Buckingham's* Attacks could no ways shake him in it.

In *Chancery* he mitigated the Fees, and all Petitions from poor Men were granted *gratis*, and was so far from prolonging Suits, that in the first Year he ended more than in seven Years before ; yet with such caution, that he would have some of the Judges, but principally Sir *Henry Hubbard*, to be assisting ; so that notwithstanding his celerity in dispatch, in all the five Years of his being Lord Keeper, not one of his Orders, neither by Parliament, nor by the Court of *Chancery* were Revers'd.

Cardinal *Richlieu* is much celebrated for the Speech he made in the Convention of *Notables*, which you may read at large in *Howel's* life of *Richlieu*, f. 162, 163, 164. to excite the *French* to carry on the Cardinal's ambitious and ungodly Designs, after the King had so prodigally expend-

ed, not only his Father's Treasure, but doubly more than the ordinary Revenues of *France*, upon his Favourites, and the manifold Wars both at home and abroad, which *Richlieu* had entangled him in.

Let any Man compare the Keeper's Speech at the opening the first Parliament of King *Charles*, which you may read in the Keeper's Life, the Second part, fol. 9 and 10, with that of *Richlieu's*, and judge if the Rhetorick and Elegancy of it, comes any way behind that of his (After the King's Father, and this King, had squandered much more than the Revenues of the Crown, upon their Favourites, and this King had intangled himself in the Articles of the *French Match*, and without means engaged himself in a War with *Spain*, and that against his Fathers and the Keeper's Advice) in exciting the Parliament to a compliance with the King's Will, though with a different Fate, for *Richlieu* attained his Ends by his Speech, whereas the Keeper's down-fall was a Consequence of his.

But above all the Keeper excelled himself, (if I may be Judge) in three things ; one was in his Speech in the House of Peers, about the Peers taking the Oaths : The 2d, his Reasons he gave the *French Ambassador Villoclare*, against dispensing with our Penal Laws against *Romish* Priests, which you may read at large in the first part of the Keeper's Life, fol. 214, 215, 216, 217, 218, 219, 220, 221, 222. The 3d. speech was, when the Earl of *Essex* moved the House of Lords, in the year 1640, that the Bishops might be expelled the House, not their Persons, but their Order; which you may read at large

in the 2d. part of the Keeper's life, from *f.* 168 to 176, and sure the History of the Keeper's life had been a nobler Work, if it had been related without the loose and impertinent Glosses of the Bishop of *Litchfield*, whereby he does so often disturb and break the Thred of the story, and by preaching himself, more than writing his History, makes it confounded, so as it is difficult to pursue it. See the Speech in the first part of his Life, *f.* 76, 77.

After the Parliament was Dissolved at *Oxford*, all heads were set at work, to find some fault against the Keeper to out him of his place, but none could be found ; hereupon they made a Proposition, which the Keeper made to King *James*, that the Office of Lord Chancellor, or Lord Keeper should be Triennial, so that after three Years, the King should make another, and the Keeper having enjoyed the place above four Years, to be the reason, that he should surrender the Seal.

When the Keeper had notice of this in a partheick Letter to the King, which you may read in his life, in the 2d. part, *fol.* 24. he implores his Majesty's favour, that he may retire with an Assurance of his Majesty's grace, and be admitted into his presence, to make some humble Requests to him, which the King granted : The first of his Requests was, for the King's favour in general, which the King granted, and gave him his hand twice to kiss upon it ; Secondly, that the King would take away none of his Church preferments, as he had graciously promised, till he had given him better in lieu of them ; the King answered, *It was his Intention* ; Thirdly, that the King would remember his Father's promise, seconded by him, that he would

place him (the Keeper) in as good a Bishoprick, or Archbishoprick as he could ; the King said, *There was no such place void, when any fell, it would then be time enough to make his Request.* Fourthly, that his Majesty would dismiss him freely and absolutely, without any Command from the Table, but to leave it to the Keeper's discretion to forbear ; the King said, *He never intended it so, and never said a Word to the contrary, but expected he should not offend by voluntary Intrusion.* Fifthly, That the King would declare to the Lords, that the Keeper had willingly and readily yielded to his Majesty's pleasure, and that he parted in the King's favour, and good Opinion, and was still his servant ; the King said he would but that he looked that no Petitions be made for him, by any Man at that time, but only for his Favour in general. Sixthly, the Keeper besought the King to make Attonement with the Duke, upon, or without Examination of the Information, which the Duke received against him ; the King said, *It became not him, a King, to take up Quarrels between his Subjects, and that the Duke had never express any such Enmity to him, against him, (the Keeper.)* Seventhly, the Keeper besought the King, that whereas the Keeper had a Pension, by Direction of the King's Father, and wherewith the King was acquainted, of 2000 Marks, per Ann. to the Viscount Wallingford and had disbursed 3000 l. down upon it, either to buy the said Pension, or extinguish it, or to Assign it to be paid out of the Tenths, or Subsidies of his Bishoprick, as before he had Appointed to receive it out of the Exchequer ; the King said, *Assignments were naught, but he would take Order with his Treasurer, to buy it, or pay for it, as should be most*

convenient. Eightly, the Keeper besought the King to bestow the next Prebendary in *Westminster* upon his Library-keeper, as his Father had promised, or that he might resume his Books again ; the King said, *It was full of Reason.* Ninthly, the Keeper besought the King to ratify a Grant, made by his Father, of four Advowsons to *St. John's College* in *Cambridge*, whereof two he had bought with his Money, and two the King gave him for the good of the Society ; the King said, *he would Ratify the Grant, and give way to amend any Errours in the Form, or in passing of it.* Tenthly, the Keeper besought the King, that he might retire to a little Lodge, which my Lord *Sandys* lent him, where the Lord *Curway* might receive the Seal ; which the King granted. Lastly, the Keeper besought the King, that the King would not be offended with him, if upon his Discharge, Reports were made that he was Discontented, which he protested he was not, giving over so comfortably ; the King said, *he would do him that justice, and that he little valued Reports,* and thereupon gave the Keeper his hand to kiss at parting, which you may read in the 2d. part of the Keeper's life, *tit. 28.*

But the Bishop says in the next *tit.* the forlorn Keeper felt the heaviness of this lightness, who thought he had obtained much ; but (excepting the 4 Advowsons confirmed to *St. John's College*) he mist all that he sought for, and expected, nor could he ever get a farthing of his Pension, nor bring it to an *Audit* to his dying day ; nor did the Keeper's enemies stop here, but sought to provoke him to the King's displeasure, with things which were neither consistent with the King's Honour, nor scarce

scarce to be born by the Temper of Human Nature; and were so hasty in it, that the King's promise, that the Bishop of *Lincoln* (now no more *Lord Keeper*) should enjoy the King's favour was scarce three Months old, when they put not only the King out of mind of his Promise, but the Bishop out of the Duty of his place, but that *Laud* should perform it, whether the Bishop would or nor.

It has been said with what difficulty the Bishop of *Lincoln* (for so we must now call him) procured *Laud* the Bishoprick of *St. Davids*, and the Bishop staid not there, but retained him in his prebendary at *Westminster*, and so after gave him a living, in the Diocess of *St Davids* of 120 *l. per. Ann.* to help his Revenue: these two last, being additions to *Laud's* preference coming from the Bishop of *Lincoln* Voluntarily, and unfought for by *Laud*; he by *Mr. Winn*, returned his thanks to the Bishop, with this Expression, *His Life would be two short to requite his Lordships Goodness.*

But these Favours were not 18 Months planted, when *Laud* became the Bishop's sharpest Enemy, as you may read in the first part of his Life, f. 108; and his Malice grew so high, that the Council of *Buckingham*, the Duke's Mother took notice of it; which the Arch-Bishop *Abbot* takes notice of *Rusw: f. 144*, as well as the Bishop of *Litchfield*.

As Acts of Grace and Favour usually were accompanied by our King's at their Coronation; so in this King's Reign the quite contrary, must be practised, not only to the Earl of *Bristol*, but much more to the Bishop of *Lincoln*, for he was not only denied to do his Homage to the King, with the rest of the Spiritual Lords at the Coronation, but his Office

Office as Dean of *Westminster*, in assisting the Archbishop, in the solemnity of it ; and yet this too must be done by *Laud*, as the Bishop's Substitute, whether he would or not.

This was the first noble Favour, the King according to his reiterated Promise, extended to the Bishop when they parted ; the 2d. was, he was denied his Writ of Summons, as a Peer in Parliament : which Met, in four days after the Coronation, which was due *ex debito justitiæ*, and which was never denied to Prisoners, or Condemned Persons, even in his Father's time ; and at last when he Obtained it, yet he must not presume to sit in Parliament, and had much adoe to have his Proxy left with the Bishop of *Winchester*, Dr. *Andrews*, as you may read in the 2d. Part of his Life p. 69.

But though the Privilege of Peers, a little eclipsed the Power of the mighty *Buckingham*, yet he was resolved to keep Sir *Edward Coke*, Sir *Robert Philips*, and Sir *Thomas Wentworth*, out of the Commons House by the King's Prerogative, (as it has been of late used) in making them Sheriffs, whether they be returned by the Coroner's Inquests of the Counties or not, and by this prerogative, Sir *Edward Coke*, was made Sheriff of the County of *Bucks*, Sir *Robert Philips* of *Somerset*, and Sir *Thomas Wentworth* of *Yorkshire*. It made a mighty noise and an Inquiry, which otherways would not have been, that Sir *Edward Coke* in his extream age now 77 Years old, and who had been Chief Justice of both Benches, and Privy Counsellour, should be made a Sheriff of the County : and the more for that Sir *Edward Coke*, took Exceptions to the Oath of a Sheriff, whereupon it was altered. These

These were the Counsels which governed the King, in the infancy of his Reign: Now let's see the success.

The Commons were so far from Granting Subsidies now, as in the last Parliament before Grievances were redrest, that upon their first Meeting they fell upon Examination of Grievances, and the Miscarriage of the Fleet to *Cadiz*; the evil Counsels about the King's misgovernment, and Misemployment of the King's Revenue: and an account of the 3 Subsidies and 3 Fifteenths granted the 21st of *K. James*: That new Impositions and Monopolies were multiplied, and settled to continue by Granting Customs inhaunced by the new Books of Rates, and that Tunnage and Poundage was levied, though by no Act of Parliament and the Guard of the Sea neglected.

However these were Generals, but the first particular storm fell upon *Mountague*, in five particular Articles, wherein he had broken the Laws and Statutes of the Realm, and disturbed the peace both of the Church and Common-wealth.

1. Whereas by the Articles of the *Convocation* holden in the Year 1562. It is determined, That the Church of *Rome*, is, at present, and has been for above 900 Years past, so far wide from the nature of a *True Church*, that nothing, can be more: He the said *Mountague*, in several places of the Book called the *Answer to the Gagg*, and his other Book called *The Appeal*, advisedly affirms and maintains that the Church of *Rome* is and ever was a true Church since it was a Church.

2. Whereas in the 16th Homily, of the 2d. book of Homilies, it is declared, that the Church of *Rome*

not built upon the Foundation of the Prophets and Apostles; and in the 23d. Article, that *Transubstantiation* overthroweth the Nature of a Sacrament; and in the 25th. Article, that the 5 other Sacraments, are not to be accounted Sacraments; Yet the said Mountague maintains in his Book called *an Answer to the Gagg: That the Church of Rome hath remained firm upon the same foundation of Sacraments and Doctrine instituted by God.*

3. In the 19th. of the same Article, it is Main-
tained, That the Church of Rome hath erred not
only in their Living, and Matters of Faith, he in
his Book called *the Gagg*, does maintain that none
of these are controverted in their Points between
the Papists and Protestants; and tho' in the 35th.
Article it is resolved, that the Sacrifice of Masses
in which it is commonly said, the Priest did offer
Christ for the Quick and the Dead, to have remis-
sion of Pain and Guilt too, is a Blasphemous Fable,
and dangerous Deceit, this being one of the con-
troverted Points between the Church of England,
and the Church of Rome, he in his book called
the Gagg, does maintain *That these controverted Points,*
are of a less and inferiour Nature, of which a Man
may be ignorant without any danger of his Soul at all,
and a Man may oppose, this or that without peril of
perishing for ever.

4 Whereas in the 2th. Homily, Intituled, *Against*
the Peril of Idolatry, and approved by the 37 Article,
it is Declared, that Images teach no Good lesson,
neither of God or Godliness, but all Error and
Wickedness; he the said Mountague does maintain,
Images may be used for the Instruction of the Ignorant,
and excitation of Devotion.

5. That

5. That in the same Homily it is plainly expressed, that the attributing certain Countries to Saints is a spoiling God of his honour, and that the Saints are but *Dii tutelares* of the Gentile Idolaters. Yet the said *Mountague*, in his Book entituled, *Treatise concerning the Invocation of Saints*, affirms and maintained, that the Saints have not only Memory, but a more peculiar Charge of their Friends; and that it may be admitted, that some Saints have a peculiar Patronage, Custody, Protection and Power, as Angels also have over certain Persons and Countries by special Deputation, and that it is not Impiety so to believe: And whereas the 17th. Article it is resolved, That God has certainly decreed by his Counsel secret to us, to deliver from Curse and Damnation, those whom he hath chosen in Christ out of Mankind, to bring them by Christ to everlasting Salvation; wherefore they which be endued with so excellent a benefit of God, be called according to God's purpose, working in due Season, they through Grace obey the Calling, they be justified freely, walk religiously in good Works, and at length by God's Mercy attain to everlasting Felicity. He the said *Mountague* in his Book called *The Appeal*, does maintain, That Men justified may fall away, and depart from the State they once had; and may again arise, and become new Men possibly, but not certainly, nor necessarily: And the better to countenance this Opinion, he hath in the same Book, wilfully added and falsly charged divers Words in the said Article, and in the Book of *Common Prayer*; and misrecited and changed the said Places, he doth alleadge in his said *Appeal*, endeavouring thereby

by a most malicious and wicked Scandal upon the Church of *England*, as if he did herein differ from the Church of *England*, and from the Reformed Churches beyond the Seas, and did consent to the pernicious Errours, which are commonly called *Arminianism*, and which the late famous Queen *Mary*, and King *James* of happy Memory, did piously and diligently labour to suppress.

That he had, contrary to his Duty and Allegiance, endeavoured to raise Factions and Divisions in the Common-wealth, by casting the odious and scandalous Name of *Puritans*, upon such as conform themselves to the Doctrine and Ceremony of the Church of *England*, under that Name laying upon them divers false and malicious Imputations, so to bring them into Jealousy and Displeasure with the King, and Ignominy and Reproach of the People, to the great danger of Sedition, and disturbance of the State, if it be not timely prevented.

That the scope and end of his Books, is to give encouragement to Popery, and to withdraw the King's Subjects from the true Established Religion, to the *Roman Superstition*, and consequently to be reconciled to the Church of *Rome*, whereby God's true Religion has been scandalized, those Mischiefs introduced, which the wisdom of many Laws hath endeavoured to prevent, the Devices of his Majesty's Enemies furthered and advanced, to the great danger of the King, and all his loving Subjects.

That he has inserted in his Book called *The Appeal*, divers Passages dishonourable to the late King, full of bitterness, railing and injurious Speeches to other Persons, disgraceful and contemptible to many worthy Divines of this Kingdom, and other Reformed

formed Churches beyond the Seas ; impious and prophane in scoffing at Preaching, Meditating, and Conferring; Pulpits, Bibles, and all shew of Religion ; all which do aggravate his former Offences having proceeded from malicious and enormous Hatred against the Peace of the Church, and the sincerity of the reformed Religion publicly professed, and by Law established in this Kingdom. All which Offences being to the dishonour of God and of most mischievous effect and consequence against the Church and Common-wealth of England and other of his Majesty's Realms and Dominions. The Commons assembled in Parliament do hereby pray, that the said *Richard Montague* may be punished according to his Demerits, in such exemplary manner, as may deter others from attempting so presumptuously to disturb the Peace of the Church and State, and that the Books aforesaid may be suppressed and burnt.

This was that special stick of Wood, which *Land* in the beginning of this young King's reign, put into his hand, to support him in the Establishment of the Religion of the Church of *England*, and afterwards planted him to be one of the Cedars of our Church by having him made first Bishop of *Chichester*, and after of *Norwich*.

However *Land* was so nettled with the Votes of the Commons, I do not find *Buckingham* concerned himself in them, it may be believing this might drive the Storm from him ; but it was impossible for the Commons, in looking into the Grievances of the Nation, but to meet *Buckingham* in the front of every one of them: And when they began their debates concerning the Duke, they received a Me-

the King, of the pressing Estate of *Christendom*, and with what care and patience he expected their Resolutions of Supplies, and to let them know, he lookt for a full and perfect Answer, what they would give for his Supply, according to his Expectation, and their Promises; and he would not accept of less, than was proportionable for the greatness and goodness of the Cause, and that it was not fit to depend any longer upon Uncertainties; whereby the whole weight of the Affairs of *Christendom*, may break in upon us all of a sudden, as well to his Dishonour, as the Safety of the Nation; and when this is done, they may continue longer, and apply themselves to the redress of Grievances, so they do it in a dutiful and orderly way, without throwing an ill Odor upon the present Government, or upon the Government of his late blessed Father: You will hear of the care he took of *Buckingham*, in his reply to the Commons Address upon this.

The Commons in answer, beseech the King to be assured, that no King was ever dearer to his People than his Majesty, no People more zealous to maintain and advance his Honour and Greatness, especially to support that cause, wherein his Majesty and Allies, are now engaged, and beseech his Majesty to accept of the Advice of his Parliament, which can have no other end, but the Service of his Majesty, and the safety of his Realm, in discovering the Causes, and proposing the Remedies of those great Evils which have occasioned his Majesty's Wants, and his People's Griefs.

And therefore in assurance of Redress herein, they really intend to assist his Majesty in such a

way, and in so ample a Measure, as may make him safe at home, and feared abroad, and for dispatch whereof, they will use such diligence, as his urgent and pressing Occasions require.

The King in answer to the Commons, tells them, he takes the Cause of their presenting Grievances, to be a *Parentbesis*, and not a *Condition*, and will be willing to hear their Grievances, So as they apply themselves to redress Grievances, and not enquire after Grievances: That he will not allow any of his servants to be Questioned by them, much less such as are of Eminent Place about him: That the Old Question was, *What shall be done to the Man whom the King Honours?* But now it hath been the labour of some, to seek what may be done against him, whom the King thinks fit to Honour, he saw they specially aimed at the Duke of *Buckingham*, and wonders what had altered their Affections to him, when in the last Parliament of his Father's time, he was their Instrument to break the Treaties, for which they did so honour and respect him, that all the Honour conferred upon him, was too little: He wot not what had changed their Minds, but assures them, that the Duke had not meddled with, or done any thing concerning the Publick, but by his speciall directions, and was so far from gaining any Estate thereby, that he verily thinks the Duke rather impaired the same. He would have them hasten the supplies, or it will be the worse for them, for if an Ill happens, he thinks he shall be the last that shall feel it.

The Commons had yet fresh in Memory, the Dissolution of the Parliament at *Oxford*, about five Months before, and what trust there was to this King's

Word for redress of Grievances, so as it was done in a dutiful and mannerly Way, after they had given Money; and therefore they a little altered their Course from what they had done at Oxford; Yet more than Parliaments heretofore did, to have Grievances first redress, and than to give Supplies, for they voted to proceed upon Grievances, and to give the King three Subsidies, and three Fifte-

This gave the Duke little Satisfaction: so that the King himself became the Duke's Advocate, and told the Commons, in a Speech, which you may read in *Rushworth*: f. 225, that he came to inform the Commons of their Errours, and unparliamentary Proceedings, so that they might amend their Faults, which was enlarged by my Lord Keeper *Coventry*, who told them of the King's Necessities, and his patience in expectation of Supplies; and of the King's promise of Redress of Grievances, after Supplies were granted; That the Enquiry upon many Articles against the Duke upon *Commons*, was to wound the Honour and Government of his Majesty, and of his renowned Father, and therefore it was his Majesty's final and express Command, that they yield Obedience to those Directions which they formerly receiv'd, and cease their unparliamentary Proceedings against the Duke, and leave to his Majesty's Care, Wisdom and Justice, the future reformation of those things, which they Suppose to be otherwise than they should be; and that the King took Notice that they had Suffered the greatest Council of State (the Duke and Laud) to be Censured and Traduced by Men, whose Years and Education cannot attain

to that Depth (*Why then were the Old Members kept out of the House, which Could have better informed them*) and that the three Subsidies, and three Fifteenths, were no way's proportionable to supply the King's Necessities, &c. and Concludes, that his Majesty doubts not but after this Admonition, they will observe, and follow it, which if they do, his Majesty is most ready to forgive all that is past: Then the King added, that in his Father's time, by their perswasion, he was their Instrument to break off those Treaties; and that then no body, was in so great Favour with them, as the Man they seem now to touch, but indeed his Father's Government, and as his, &c. and that the Parliaments are altogether in his power for their Calling, Sitting and Dissolution, and as he finds the Fruits, they are to continue, or not to be.

But if the Commons proceedings against the Duke, were erroneous and unparliamentary, and through the Duke's sides wounded not only the King's Government, but that of his renowned Father, and that the young Men in this House of Commons, had Censured and Traduced the King's highest Council of State; you shall now hear of an old States-man in the House of Lords, which shall not only cease the wonder, which caused the Parliament in the 21st. of King James, so to applaud the Duke, but shall wound the whole Story, which began that great Applause to the Duke.

You have heard before, how the Earl of Bristol was stopped at Calais from coming over into England, after his return out of Spain; and after he came to Dover, when the Duke could not prevail upon Marquiss Hamilton, and the Earl of Harford

to have the Earl sent to the Tower upon his arrival in *England*; how he was stopped by a Letter from the Lord *Conway*, that he should not come to Court, nor to the King's presence, till he had answered to some *Queries*, which his Majesty would appoint some of the Lords of the Council to ask him, which was not done till the Parliament was Adjourned, and never met more; and how after King *James* his death, the Earl was not only kept from his Liberty, and the King's presence, but removed from all his Offices and Employments, and not suffered to come to an Account for the Monies expended in the King's service, and not permitted to come to the Parliament, which was Dissolved at *Oxford*.

Upon the King's Summons of this Parliament, the Earl petitions the King to have his Writ of Summons, which was never denied to any Peer, to sit in the House of Peers, but he received an Answer by the Lord *Conway*, that the King was not satisfied in it, and propounded to the Earl, *Whether he would rather sit still, and enjoy the Benefit of the late King's Pardon in Parliament, or to waive it, and put himself upon Tryal, for his Negotiation in Spain, and one of these he must trust to, and give a direct answer.*

The Earl in answer said, he had been already questioned upon 20 Articles, by a Commission of the Lords, and had given such Answers, that their Lordships never met more about that Business; and that he did not wave the Pardon granted by King *James* in Parliament. These Letters you may read at large in *Rushw. fol. 138, 139, 140.*

Hereupon the Earl petitions the House of Lords shewing, that he being a Peer of this Realm, had not received his Writ of Summons to Parliament and desires their Lordships to mediate with his Majesty, that he may enjoy the Liberty of a Subject and the privilege of his Peerage, after almost two Years restraint, without any Tryal brought against him, and that if any Charge be brought against him, he prays he may be tried by Parliament.

Hereupon the Lords petition the King, that not only the Earl of *Bristol*, but, all such other Lords whose Writs are stopt, except such as are made incapable to sit in Parliament, by Judgment of Parliament or some other legal Judgment, may be Summoned.

This nettled the Duke to the quick, so that he told the House, the King had sent the Earl his Writ but withal deliverd such a Letter, which the King sent to the Earl, which I care not to Transcribe but you may read in *Rushw. fol. 241.* wherein the great States-man *Buckingham*, would have the Earl judged and censured by the King, without hearing the Earl, and thereby fore-stall the Judgment of the Lords against the Earl.

Its true indeed, my Lord Keeper *Conventry* sent the Earl a Writ of Summons to attend in Parliament but withal signified by a Letter to the Earl, that it was his Majesty's pleasure withal (*no doubt but by the advice of his highest Council of State*) that the Earl should continue in the same restraint he was, so that he should bear his personal Attendance in Parliament.

But since the Duke could no longer otherways keep the Earl out of the House of Lords, the King by my Lord Keeper, signified to the Lords that his pleasure was, they should send for the Earl as a

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Delinquent, to answer Offences committed against him, before his going into *Spain*, and since his coming back, and his scandalizing the Duke of *Buckingham* immediately, and by reflection, upon himself, with whose privity and direction the Duke guided his Actions, and without which he did nothing. And now Sir *Robert Heath*, the King's Attorney General, exhibited eleven Articles against the Earl, (*it was thought fit to leave out the other Nine*) which the Earl had answered to King *James*, without any Reply; and in the last of these, the Earl is Charged with giving the King the Lye, in offering to falsify that Relation which his Majesty affirmed, and thereunto added many things of his own Remembrance to both Houses of Parliament, which you may read at large in *Rushworth's Collections*, from f. 153. to 158.

Hereupon the Earl exhibited a Charge of High Treason and Misdemeanors in 12 Articles against the Duke, and another against the Lord *Conway* of High Misdemeanors which you may read at large in *Rushw* from f. 266, to f. 270. and upon the delivery of them, the Earl desired a Copy of the King's Charge against him in writing, and time allowed to answer, and Counsel assigned him, and said there was a great difference between the Duke and him; for the Duke was accused of Treason, and at large, and in the King's favour, and that he being but accused of that which he had long since answered, was a Prisoner, and therefore moved the Duke might be put in equal Condition; which tho' the House did not, yet were not satisfied to Commit the Earl to the Tower, and Ordered that the King's charge against the Earl should

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be first heard, and then the Earl's against the Duke; yet so that the Earl's Testimony against the Duke, be not prevented, prejudiced, or impeached.

The King in a Message to the Lords by my Lord Keeper, would have blasted the Earls Articles against the Duke for two Reasons, (if they may be called so) the first was, that the Narrative made in the 21 *fac.* in Parliament, trenches as far upon him as the Duke; for that he went therein as far as the Duke: *But what then? Shall not the Earl be heard in his defence against that Declaration, which was designed to blast the Earl's Honour and integrity; and Justice is no respecter of Persons?*

The other was, that all the Earl's Articles have been closed in his breast now these 2 Years, contrary to his Duty, if he had known any Crime of that nature against the Duke and now he vents it by recrimination against the Duke whom he knows to be a principal Witness to prove his Charge against the Earl: *This is strange for his Majesty's Reign was Scarce yet a Year old, and all this While the Earl was under a restraint; and not permitted to come to the Parliament which ended at Oxford; and in his Father's Reign, after the Earl had answered all the Duke's Articles against him, without any reply, K. James promised him, he should be heard against the Duke, as well as he was against him, tho' he lived not to make good his Promise.*

Now let's see the Levity of this Prince, the necessary concomitant of Wilfulness, and which he pursued in every step of his Reign, without any remorse that he could ever find; for the lodgment of the King's charge against the Earl in the House of Lords was scarce cold, when as it was endeavoured to take the Earl's cause out of the House, and to proceed against him in the

King's

King's Bench: But why must this be at this time of day, and while a Parliament was sitting? And why was not this done in the King's Fathers life, or in this King's Reign? And why must 2 Years pass, and this way of Charging the Earl never thought of, which now must be done in all haste? But the Lords put a full stop to this, and for these Reasons.

1. For that in all Causes of Moment, the Defendants shall have Copies of all Depositions both *Fro* and *Contra* after publication, in convenient time before Hearing, to prepare themselves; and if the Defendants will demand that of the House in due time, they shall have learned Council to assist them in their Defence: And their Lordships declared they would give their Assents thereto, because in all Causes, as well Civil, as Criminal and Capital, they hold, that all lawful help could not, before just Judges, make one that is Guilty avoid Justice; and on the other side, God defend that an *Innocent* should be condemned.

2. The Earl of *Bristol*, by his Petition to the House, complained of his Restraint, desiring to be heard here, as well in point of his Wrongs, as in his Accusations against the Duke; whereof his Majesty taking consideration, signified his pleasure by the Lord Keeper, *April 20.* That his Majesty was resolved to put his Cause upon the Honour and Justice of this House, and that the Earl should be sent for as a Delinquent, to answer the Offences he committed in his Negotiations, before his Majesty's going into *Spain*, whilst his Majesty was there, and since his return; and that his Majesty would cause these things to be Charged upon him in this House, so as the House is fully possessed of the Cause, as well by the Earl's Petition, as the King's Consent.

Consent, and the Earl brought up to the House as a *Delinquent*, to answer his Offences there, and Mr. Attorney hath accordingly delivered the Charge against him in the House, and the Earl also his Charge against the Duke: And now if the Earl be proceeded withal by way of the *King's-Bench*, these dangerous Inconveniences will follow.

1. He can have no Counsel.
2. He can use no Witness against the King.
3. He cannot know what the Evidences against him will be, in convenient time, to prepare for his Defence, and so the Innocent may be Condemned, which may be the Cause of any Peer.
4. The Liberty of the House will be thereby infringed, the Honour and Justice of it declined, contrary to the King's pleasure, expressly signified by my Lord Keeper; all which are expressly against the Order.

5. The Earl being Indicted, it will not be in the Power of the House to keep him from Arraignment, and so he may be disabled to make good his Charge against the Duke: Therefore the way to proceed according to the Directions, and true Meaning of the Order, and King's pleasure signified, and preserve the Liberties of the House, and protect one from Injury, will be,

To have the Charge delivered into the House in Writing, and the Earl to set down his Answer in Writing; and that the Witnesses on both sides be examined, and Evidences on both sides heard, by such course and manner of Proceedings, as shall be thought fit by the House; and if upon a full Hearing the House shall find it Treason, then to proceed by way Indictment; if doubtful in Point of

Law,

Law, to have the Opinion of the Judges to clear it ; if doubtful in Matter of Fact, then to referr it to a legal Tryal at Law ; and that the rather for that,

1. It appears that the Earl, in the space of two Years, (till now he Complained) has not so much as been Questioned for Matter of Treason :

2. He has been Examined upon 20 Interrogatories, and the Commissioners satisfied, that his Answer would admit of no Reply.

3. The Lord *Conway* by several Letters hath intimated, that there is nothing against him, but what was pardoned by the Parliament of the 21 *Jac.* and signified his Majesty's pleasure, that he might rest in that security, and sit still.

4. That his Majesty had often declared to the Countess of *Bristol*, and others, that there was neither Treason nor Felony against the Earl, nor ought else, but what a small Acknowledgment would expiate.

The Earl in Conformity to this Order, answered every Particular of the King's Charge against him, without any Reply ; but it would be a wonderful discovery to find an Answer to any one Particular of the Earl's Charge, either against the Duke, or my Lord *Conway*.

The Commons, at the same time, impeached the Duke of High Misdemeanor, in a Charge of 13 Articles, whereof that of the Death of King *James* was one ; but to the Displeasure of the King, so far as to commit Sir *Dudley Diggs* and Sir *John Elliot* to the Tower for it ; and the Commons sent a Message to the Lords by Sir *Nathaniel Rich*, by an unanimous Vöte, to commit the Duke to safe Custody, which I do not find the Lords did, nor did the

the imprisoned Members lie long in the Tower, for the King signified to the House, that Sir Dudley Diggs did not speak the Words for which the King committed him, and soon after Sir John Elliot was discharged.

However the Commons run high against the Duke, with a Protestation, *That till he were removed from meddling with State Affairs, they were out of all hopes of any good Success, and did fear that any Money which they shall, or can give, will through his Misemployment, rather be turned to the hurt and prejudice of this Kingdom than otherways, as by lamentable Experience they have lately found in those large Supplies they had formerly and lately given.*

But the Duke thus doubly stormed, both by the Earl and Commons, and utterly unprovided to defend himself against either ; and the King rather than receive the *Remonstrance* the Commons had prepared to present to him against the Duke, resolved to part with the Parliament, rather than the Duke, and thereby lost 4 Subsidies, and 3 Fifteenths, tho' the House of Peers petitioned to the contrary: This was upon the 15th. of June, 1626.

The King having sent the Parliament home again, sends a long Declaration after them, wherein he magnifies his Power of Calling, Adjourning, Proroguing and Dissolving Parliaments peculiarly belonging to himself, by an undoubted Prerogative inseperable united to his Imperial Crown, of which, as of all his other *Royal Actions*, he is not to give any Account, but to God only, whose immediate Lieutenant and Vice-gerent he is in these his Realms and Dominions, by *Divine Providence* committed to his charge, yet his purpose is, so to order himself, and all his

his Actions, concerning the Weal of his Kingdoms, as may justify themselves, not only to his own Conscience, and to his own People, but to the whole World: He thought fit to make a true, plain and clear Declaration of the Reasons that enforced him to dissolve these two Parliaments, so that the mouth of Malice it self might be stopped, and the deserved Blame of so unhappy Accidents, may justly fall upon the Authors thereof.

The King say's, that when he came first to the Crown, he found himself engaged in a War against a potent Enemy: *Who was that Enemy? Or at what time was any Declaration of any War made either against his Father, or him? which after the best Search I could ever make, I could never find any; Yet this I find, that the next day after his Father's death, he, and his favorite, the Duke, were so eager to make a War against the King of Spain, that a day must not be lost but Writs must be issued out to Summon a Parliament, to give Subsidies to make War against Spain. See the 2d. part of the Keeper Williams life. f. 4. tit. 2.*

This War, the King says, was not undertaken rashly, nor without just and honourable Grounds, but enforced for the necessary Defence of himself, and his Dominions: *If this War were for the necessary defence of the King, and his Dominions, there must be some Body that did thus offend the King, and his Dominions, but who this is, the King neither says, nor can I find.*

For the support of his Friends and Allies. *This is general, so no particular Answer can be given to it; but who these Friends and Allies were, which were to be supported, the King neither says, nor can I find.*

For redeeming the ancient Honour of this Nation: *It had need, for it was never so blasted, as in his Fathers, and his own Reign.*

For

For the Recovery of the Patrimony of his dear Sister, her Consort, and their Children, injuriously, and under colour of Treaties of Friendship, taken from them: *The King's Father to make good the Narrative, which this King and Buckingham made of the Spanish Treaty, told the Parliament he was deceived by Generals, and that Dolofus versatur in generalibus, if the King would have satisfied the World, how his Brother-in-laws Patrimony was taken from him, by colour of Treaties and Friendship; he should have set forth the Treaties and Friendship, and by whom, and when sought; and by whom, and when broken; but of this the King says not one word, and therefore that which he says stands for nothing.*

And for the maintenance of the true Religion. *Were the Ships which he and Buckingham last Year sent to subdue the Rochellers, who had never given him or his Father any Offence, for the defence of the true Religion? If this was not, what was it, this King did for the defence of the true Religion?*

And invited thereunto, and encouraged therein, by the humble Advice of both Houses of Parliament. *What! all this by the Advice of both Houses of Parliament? I cannot find the Parliament, 21 Jac. ever invited his Father to any more, than to break off the Treaties of the Prince's Match with Spain, and the Parliament: But what if upon the Misinformation of the Duke ex Parte, the Parliament had done all this? yet, whenas the Earl of Bristol had twice blasted the Duke's Narrative in every particular, without any Reply, Why might not another Parliament, upon better Information, alter what the Parliament 21 Jac. had done? which neither of these Parliaments did, but Granted and Voted him and his Father greater Supplies, than ever before*

were

ere given to any of his Predecessors in threefold the
 mt.

But when the King entered into a view of his
 Treasure, he found how ill provided he was to
 proceed effectually with so great an Action. It
 seems by this one Action, the King only designed the
 War against Spain: But why does not the King set
 forth the Causes why his Treasure was so ill Provided?
 It was not ten Months before his Father's death, that
 the Parliament, 21 Jac. which gave his Father three
 Subsidies, and three Fifteenths, was Adjourned; and
 his first Parliament gave him two Subsidies more,
 within two or three Months after his Father's death;
 and what came of all this, but the raising ten Thou-
 sand Foot, and two Thousand Horse, under Manf-
 field, the Expedition against the Rochellers, and
 Cadiz, to neither of which latter he was ever Invited
 by his Father, or any Parliament.

The King makes the Plague to be the Cause of
 the Dissolution of the Parliament at Oxford, yet he
 might as well have secured the Members by a Proroga-
 tion, as Dissolution.

And in this Parliament, he tells how the House
 of Commons voted him 3 Subsidies and 3 Fifteenths,
 and after 4 Subsidies and 3 Fifteenths, and of the
 latter he sent them the 9th. of June, to speed the
 passing these Supplies; and how that the House,
 being abused by the Violent and ill-advised Pas-
 sion of a few Members, never so much as admitted
 the Reading to the bill of Subsidies, but voted a
 Remonstrance, or Declaration, which they intended
 to prefer to him, (tho' palliated with glossing
 Terms) containing many dishonourable Aspersions,
 upon his Majesty, and upon the sacred Memory
 of

of his deceased Father, which his Majesty taking for a denial of the promised Supplies, upon Mature advisement, he dissolved them: *But from whence should this mature Advisement Come? We do not find the Privy Council had any hand in it, and the House of Lords Petitioned against it.*

But least the Credit of this Declaration should not find faith enough against the Commons Representatives, the King sends a Proclamation after it, wherein he takes notice of a *Remonstrance* drawn by a Committee of the late Commons, to be presented to him, wherein are many things to the Dishonour of himself, and his Royal Father of blessed Memory, and whereby through the sides of a Peer of this Realm, they wound their Sovereign's Honour, and to vent their Passions against that Peer, and prepossess the World with an ill Opinion of him, before his Cause was heard, (*whereby* bindred it) had scattered Copies of it. Wherefore the King to suppress such an unsufferable Wrong upon pain of his Indignation, and his high Displeasure, commanded all who had Copies thereof to burn them. *But why was not the Duke's Cause heard? And who dissolved the Parliament to prevent it? Had not the Earl of Bristol answered every Particular of the Kings and Dukes Charge against him? And was there not an Order of the House of Lords, the Duke should Answer the Earl's Charge against him? Where is this Answer to be found? And why was it not?*

Now see the Justice of this King, and how he made good his Promise in his Declaration, that he would so order his Actions, as should justify him not only in his own Conscience, but to the whole World; for the very day the Parliament was dissolved

solved, he committed the Earl of *Bristol* prisoner to the Tower, and left the Duke free, to pursue his ungodly Designs.

Here I'll stay a little, and add this Augmentation of Honour to the Scutcheon of this noble Earl, notwithstanding this Usage : For when the Long Parliament in 1640, had put a full stop to the King's *Absolute Will and Pleasure*, which if it had not, God only knows where it would have ended ; and after that, this King's Flatterers and Favourites, his Lord Keeper *Finch*, and Secretary *Windebank*, had run into other Countries, to save themselves from being hanged in this ; and that the Earl of *Manchester*, after he had flattered this King and his Father in all the shapes of Earl, Viscount, Baron, Lord Chief Justice, Lord Privy Seal, Lord Treasurer, and Lord President of the Council, and his Son, and the Earls of *Pembroke* and *Holland*, and both the Sir *Henry Jones*, Father and Son, and Sir *Henry Mildmay*, &c. sided with the Parliament against the King ; yet this noble Earl followed the King in all his Adversity, however he had been persecuted by him in his Prosperity.

The late Keeper, as he gave his opinion against the War against *Spain* in King *James's* Reign, so did he against the Expedition against *Cales*, in this King's Reign, his reason was, which you may read in the 2d. part of his Life. fol. 65. *That the King must make himself sure of the Love of his own People at home, before he bid War to such a rich and mighty Nation.*

But the Keepers Councils were as much feared and hated by the Duke, as *Bristol's* and the Commons Articles, were against him ; and therefore he resolved

solved to be rid of them all, and pursue the Kings and his own designs, without any controul, and the very same day the Parliament was Dissolved, he caused the Earl of *Bristol* to be committed to the *Tower*; as you may see in *Stows Chronicle*, fol. 1042. nor would he have his Renown and Valour less known abroad, then his Justice at home; and *France* shall now be the Theatre, upon which he will act it in spite of *Spain*, or the Parliament and Nation of *England*, without whose assistance, he'll act Wonders, by his own Power, and in vindication of his own honour, however some cause must be shewed by others, since the Duke concealed the true Cause.

Rushworth fol. 427. makes the causes of this War, to begin between the Priests of the Queen's Family, and the Bishops by the Articles of Agreement upon the Marriage; and that the Pope had declared them Apostates, if they should seek for any establishment from the King, being an Heretic; and that the Queen sided herein with the Priests against the King, and that Unkindness hereupon grew between them; so as the King informed his Brother of *France*, he could no longer bear them: And much to this purpose has *Mr James Howell*, in the Life of *Lewis* the 13th. fol. 75.

But these were but pretences for this War, the Cause was of another Complection; and herein we will cite the Authority of the great *Nani*, who has better means to enquire into the Causes, than either *Rushworth* or *Howell*, and was not biased by Interest or Flattery.

You have heard before of the Emulation between *Richlieu* and *Buckingham*, and of their Inclinations for the Queen's Favour, and of the Queen's noble Aversions to them both; but I think *Nani* was therein a little mistaken, for if I be not misinformed, as I think verily I am not, when *Buckingham* came out of *France* with the Queen of *England*, he left, or soon after sent *Sir Baltazer Gerbier*, to hold secret Correspondence between the Queen and himself, and though *Richlieu* watcht *Gerbier* narrowly, yet he brought the Queen's Garter, and an exceeding rich Jewel to *Buckingham* from her.

Upon the breaking out of the Feuds in the Queen's family, which began almost as soon, if not before it was settled; *Buckingham* prevails with the King to be sent into *France* to Compose them; which was granted. But *Nani* says, the true motive of *Buckingham's* journey, being ascribed to Love, contracted in that Court; *Richlieu* perswaded the King to refuse him entrance into the Kingdom; *Liberage* hereupon of the other was enflamed to extremity, and *Sware*, since he was forbidden to enter in a peaceable manner into *France*; he would make his passage with an Army.

Here you see the Duke was under a double Obligation of Love and Honour, and since he could not attain his end in Love; its remarkable, by what Steps he proceeded, to make good his Oath and Honour, of entring into *France* with an Army, which will be better observed, if they be lookt upon in their Circumstances.

It was the 16th. of *August* 1625, in the first Year of the King's Reign, as you may see in *Rushw.* 335, that *Buckingham* caused the Captains of the

Fleet, under the Command of Vice-Admiral *Penington*, to deliver it into the *French* power to fight against the *Rochellers*, and while the Fleet was thus in the *French* Power, and after the Duke had received the horrible Affront, of being denied entrance into *France* in a peaceable and loving manner, about *Michaelmas* following, viz. about six weeks after the delivery of the Fleet; the Duke, as Lord High Admiral of *England*, by an extraordinary Commission, seized the *St. Peter* of *New-haven* (*John Mallerow* Master) Laden with Goods, Merchandize and Money, to the Value of 40000 *l.* upon the Account of *Monsieur Villiers*, Governor of *New-Haven*, and other *French* Merchants, as Prize; and the Duke took out of the said ship 16 Barrels of *Cocheneal*, 8 Baggs of Gold, 2 Baggs of Silver, two boxes of Pearl and Emeralds, a Chain of Gold, and Monies and Commodities to the Value 20000 *l.* and delivered them to *Gabriel Marsh*, his servant: Whereupon there was an Arrest of two *English* Merchants Ships in *New-haven* upon the 7th. of *December* following, viz. 1625, wherupon by a Petition from the Merchants, the King ordered *December* the 28th. that the Ship and Goods belonging to the *French*, should be re-delivered to the *French*; whereupon the Court of Admiralty decreed upon the 16 of *January* following that the ship with all the Goods (except 300 *Mexico* Hides, 16 sacks of Ginger, one box of *Guilden* Beads and five sacks of Ginger) should be released from further Detention, and delivered to the Master, yet the Duke not only detained to his own use the said Gold, Silver, Pearl, Emeralds Jewells and Money, but upon the 6th. of *February*

following, withour any legal Proceedings, caused the said ship to be again Arrested and detained; as you may see, in *Rushw. f. 313.* and here began the seizing of our *English* ships in *France*, which the Duke makes one of the Causes of the War.

Objection.

But this is but a Charge of the Commons upon the Duke, and therefore no direct Proof.

Answer.

It is not to be presumed, the Commons would have Charged these things thus particularly and positively without Proof, and I say moreover they are to be taken for truth since the King did dissolve the Parliament, rather then the Duke should come to his Tryal upon the Commons impeaching him hereupon, and 'tis worth the Observation, to see how without Counsell, and by contrary extreems, the King and Duke engaged in both the Wars against *Spain and France.*

The Bishop of *Litchfeild*, in the 2th. part of the life of the Lord Keeper *Williams*, f. 4 tit. 2. says, the next day after King *James* his death, the King and Duke were busied in many Cares; but the Cheif was, for the continuation of the Parliament at King *James* his death; the Keeper shewed, that the Parliament determined with the death of the King; then the King said, since necessity required a new Parliament, his Will was, that writs forthwith be issued out of *Chancery* for a new Choice, and not a day lost. The Keeper hereupon craved leave to be heard, and said it was usuall in times before, that the King's Servants and Friends did deal with Countries, Cities and Burroughs, where they were known, to procure a Promise for their Elections,

before the precise time of any insequent Parliament was Published; and that the same forecast would be good at this time, which would not speed, if the Summons were divulged, before they lookt about them: The King answered. *It was high time to have Subsidies granted for the War, with the King of Spain, and the Fleet must go forth for that purpose this Summer; to which the Keeper replied in few Words, and with so cold a consent, that the King turned away, and gave him leave to be gone, whereas the King dissolved this Parliament, and lost 4 Subsidies and 3 Fifteenths, to save the Duke, and make War upon France.*

Concealing the true Reason for this War with France, the Duke in his Declaration gives two other Reasons of it; the first was the refusal of *Mansfeild* to land his army at Calais, according to agreement, whereby the Design for the Recovery of the Palatinate was frustrate: *But why must this be a reason at this time of Day? for this was done in the Reign of King James, and when the Treaty of the Marriage with France was in being, Why was not then the Treaty broken off upon it? and why after this in King Charles his reign, was the English Fleet, put into the Power of the French to Subdue the Rochellers, and this business of Mansfields, not so much as taken Notice of?*

The second reason was the French seizing our English Merchants ships in their Ports: *But this was after the Duke had seized, and made Prize of the St. Peter of New-haven: so here the Duke begin's making Prize upon the French, and makes War upon them for doing so by the English.* However wee have here a Declaration, and Reason of a War against the

French.

French, such as'twas, tho' none could be had for the War with *Spain*.

Here you may see the unhapy fate of Princes, who treat their Subjects, as Enemies, and their Flatterers and Favourites, as their only friends and Confidants, for notwithstanding the King's ill success last Year to *Cadiz*, and the King's Complaint for want of Money in the Exchequer, and the ill Terms he was at with his Subjects; not only to be put upon making a War against the King of *Spain*, and the *Emperour*, but now also against the King of *France*, and to have none but *Buckingham*, *Laud*, &c. and their Parasites to support him, in all these Wars; and what could Human Wisdom foresee of any good success in them, being against three the most Potent Princes of *Christendom*.

For the Charges to maintain these Wars, almost against *Christendom*; the King requires a Benevolence of the Subject, and the Nobility to lend freely: Demands a Loan of 100000 *l.* from the City of *London*; charges the Ports of *England* to furnish Ships upon their own Charges; Issues out Privy Seals for Benevolences in proportion to the four Subsidies, and three Fifteenths voted by the Commons; grants a Commission to execute Martial Law; billets Soldiers, and makes the Country pay their Quarters; the Rich, who refuse to pay the Loans are assessed, and bound over to answer at the Council Table; and the other prest for Soldiers: These were the ways this King took to justify, his Integrity for the weal of the Kingdom, so as to satisfy not only his own Conscience, but his People, and the whole World, as he promised in his Declaration for Dissolution of the Parliament.

But least the King's Royal Proclamation for these things should be stumbled at, or disputed, *Sibthorp* and *Mannaring* (two special Favourites of *Land*) are set on work to preach, that the King is not bound to observe the Laws of the Land in his Government; and that his Royal Will in imposing Loans and Taxes, does oblige the Subject's Conscience, upon pain of Eternal Damnation.

Though these things were settled to the Duke's hearts content, yet he had a jealousy that, in his absence, the Archbishop of *Canterbury* might give the King such Counsel, as might spoil all the glories of the Duke's Designs, and therefore to remove him, not only from the Council Table, but far enough out of the way from coming into the King's presence, is the Design; but to put some colour upon it, it was resolved, That the King, by a special Message should order the Archbishop to License *Sibthorp's* Sermon under his own hand.

The Archbishop at this time was sorely afflicted with the Stone, and kept his bed, when Mr. *Murray* brought the King's Command to him; the Bishop could not forbear to take notice of the piece of drudgery to be put upon him, the like whereof was never enjoined to any of his Predecessors, yet desired my Lord *Conway* to leave the Sermon with him some small time to peruse, which my Lord did.

The Bishop instead of Licencing the Sermon, made Observations upon it, how false and inconsistent the Parts of the Sermon were to one another, and how contrary to Antiquity, and the Authority of the Scripture; for one part of the Sermon justified *Abah's* taking away *Naboth's* Vineyard,

ward, and desired to be satisfied about his Objections, before he licensed the Sermon.

This gave the desired Offence, for upon the Archbishop's refusal to license the Sermon, the Bishop of London, (who had allowed *John Cosens* his Book, called *The Seventh Sacrament*, with all the Errours, which were after expunged) gave it a great and stately Allowance, and *Laud* was ordered to answer the Archbishop's Objections, and had the Bishops of *Durham*, *Oxford* and *Rochester* to be his Assistants in it, and to this the Archbishop must reply without seeing the Answer, which if he might see he said, he would batter it all to pieces ; which being denied, you may read in *Rushw. fol. 446, 447.* now the Archbishop did batter it all to pieces, upon Mr. *Murray's* reading it.

For this special piece of Service, in answering the Archbishop's Objections, the Bishop of *Durham*, and *Laud* of *Bath* and *Wells* are made Privy Counsellors ; and for the Archbishop's refusal to license *Sibthorp's* Sermon, he was not only banished to his House at *Ford*, 5 Miles beyond *Canterbury*, (a poorish, unhealthy place, and that before he could lay in his Provisions for House-keeping) but the office of High Commission is taken from him, and the Exercise of it committed to the Bishops of *Durham*, *Oxford*, *Rochester* and *Bath* and *Wells*, which had so well answered the Archbishop's Objections to *Sibthorp's* Sermon ; and now things are thus settled at Home.

In *July* the 27th. the Duke is Commissionated Admiral, and General of a *Navy Royall* of an 100 Sail, and 6 or 7000 Land soldiers, and when he came before *Rochel*, *Sobiez* came aboard of him ; where, for several Reasons, it was agreed to land the

the Army on the Island of Oleron, and not on the Isle of *Rhee*: but *Sobiez* going to perswade the *Rochellers* to Join with the *English*, the Duke before his return lands on the Isle of *Rhee*, in spite of the opposition made by the *French*; but instead of pursuing the Blow, not only neglects to take the Fort *la Prie*, to secure his Retreat, and prevent the *French* from landing supplies, but stays five days; where by *Toiras* the *French* Governor, encouraged his Men and also got more force, and provisions into the Cittadel of *St. Martins*: The *French* were so alarmed at this invasion, that the King offered the Duke of *Rohan*, and the *Rochellers* any Terms to Join against the *English*, which both refusing, caused both their Ruins.

So that the Duke having made three false Steps viz. His deceiving *Sobiez*; his not Marching after Landing; and not taking in the Fort *la Prie*, now let's see a Fourth; The Enemies retreat upon the landing of the *English*, was so hasty, that they quit Well, about 20 paces from the Counterescarp, which supplied the Cittadel with water, which not being possess'd upon the first coming of the Army, the *French* drew a work about it, which the *English* could not force, and without which Well, the besieged could not have subsisted; however the Duke resolves to take the Fort by Famine.

We have marked four false Steps the Duke made now observe the Fifth, which was the loss of the whole Army, and Ruin of all the *Protestant* party in *France*; for instead of the *French* joining with the *English* for recovery of the *Palatinate* by land, the *Spaniards* now join the *French* against the *English* by Sea, to relieve *St. Martins*; and the Duke instead

Instead of pressing the Fort by a straight Siege, entertains a Treaty of Surrender with *Toiras*, and several Complements past between them, subscribed your humble servant *Buckingham*, and your humble servant *Toiras*, till *Toiras* got relief of Men, Victuals and Ammunition, and then *Toiras* broke off the Treaty with the Duke.

Soon after the *French* landed forces, by the neglect of the *English* to suppress them; and Orders were given to draw the *English* out of the Trenches, which the *French* possess; whereupon the *English* were forced to retreat, and fight the *French* to regain the trenches; at last the 6th. of November, the Duke makes a vain Storm upon the Castle, and was beaten off; and upon the 8th. the Duke retreats, the *French* being now equal to him in Foot, and superior in horse; when the *English* were intangled in their retreat, the Duke having neglected to take *la Prie*, or build a Fort upon a narrow Lane, and Causey, (to secure their retreat) the *French* charged the *English* Horse in the Rear, and rout them, who rout the Foot in the narrow passages between the *Salt-pits*; those that escaped were lost in the *Salt-pits* and Ditches, and the Crowd was so great in passing a Bridge, that many were drowned in the River; yet in this confusion and adversity, the bravery of the *English* appear'd, for a few having past the bridge the *French* following, the *English* rallied, and faced about to Charge the *French*, who cowardly retreated over the Bridge.

Except this little action, yet as great in Fame, as any other, the *English* Nation never received like Dishonour, as in this loose and unguided Conduct

duct of this lascivious Duke in this expedition, of whom it may be truly said, he was

Mars ad opus veneris,

Martis ad arma Venus

Home he comes, and finds things as much in disorder here, as he had left them in dishonour Abroad: the Prisons full of the most eminent Gentry of *England*, by a special Warrant from the King for refusing to lend, as they were assessed by the Commissioners for the *Loan*, and Bail denied them upon return of their *Habeas Corpus's*. An Army was kept on foot when this expedition had Consumed all that which should have paid them which had not been done in 80 Years before; the People fearing, this was more to enslave than defend them.

In this Confusion Sir. Robert Cotton's advise is called for by the King and Council, what's to be done; who in a long and well composed Speech beginning at *Charles* the 5th. sets forth the Design of the House of *Austria*, to attain an universal Monarchy in these Western parts of *Europe*: How the design was first check'd by *Henry* the 8th. against *Charles* but more by *Queen Elizabeth* against his son *Phillip* the 2d. they following a free Council and thereby winning the hearts of a loving people ever found hands and Money for all occasions: that the onely way to raise Money speedily and securely was the *via Regia* by Parliament, other ways were unknown, untrodden, rough, tedious and never succeeded well. That Religion lies nearest the Conscience of the subject, and that there was Jealousy of some practises against it: and that tho' the Duke of *Bucks* had broken the *Spanish March*

out of a Religions Care that the Articles demanded might endanger the state of the Reformed Religion, yet being an actor in the *French Match*, as hard, if not worse pasted than those of *Spain*.

Sir *Robert* goes on, and enumerates the Miscarriages in these two last Years, the wast of the King's Revenue, the pressures upon the publick Liberty of the Subjects, in commanding their Goods without consent in Parliament, imprisoning their Persons, without special Cause shewed, and this made good against them by the Judges: How to obviate these he leaves to the prudent consideration of the Council, but like old Sir *Charles Harboard*, he wishes that the Duke might appear to be the first Adviser for calling a Parliament, so that the People may be satisfied, this Parliament should be called by the zealous Care and Industry of the Duke.

Now the hopes of getting Money by calling the Parliament, works more than the Laws of God, or sacred Justice could doe; for upon the 29th. of *January*, Writs are issued out for the Assembling of a Parliament, to meet the 27th. of *March* following; the Prison doors are opened, for the imprisoned Gentry to goe abroad; the Archbishop, the Earl of *Bristol*, and Bishop of *Lincoln* (who tho' now in disgrace, was the first raiser of *Laud*, after Bishop of *London*, and Archbishop of *Canterbury*) have Writs to sit in Parliament.

But see the unstability of Resolutions not founded in Truth, Justice or prudence, for the next day after the Writs for summoning the Parliament were agreed, the King *January* the 30th. granted a Privy seal to *Burlemach*, for 30000 l. to be returned to Sir *William Balfour*, and *John Dalbier*, for raising
a

a thousand *German Horse*, with Arms, both for Horse and Foot, to be sent into *England*, February the 28th. where was an Army already upon Free-quarter, and after grants a Commission to 23 Lords and others to raise Money by impositions, or otherwise.

Thus things stood in the State before the Meeting of the Parliament; now let's see how they stood in the Church. *Barnvelt* having headed a Faction in *Holland*, which called themselves *Arminians*, and designing by them to have deposed the Prince of *Orange*, lost his head for it about four Years before; now on the contrary, the *Arminian* Faction here, which called themselves the Church of *England*, ascribed all Dominion to the Absolute Power of the King: The Principals of this Faction were *Neal*, Bishop of *Winchester*, *Laud*, Bishop of *Bath and Wells*, and *Richard Mountague*, afterward advanced to the Bishopricks of *Chichester* and *Norwich*; this Faction was headed by the Duke. At this time the Jesuits had taken a House at *Clarkenwell*, designing to make a College of it, who in a Letter to the Father Rector of the Jesuits at *Brussels*, boast that they had planted that sovereign Drug *Arminianism* which they hoped would purge the Protestant from their Heresy, and that it flourished, and bore Fruit in due season, and that they proceeded by Council and Consideration, how, and when to work upon the Duke's Jealousy and Revenge; and in that they gave the honour to those who merited it, which were the *Church Catholics*: They assured themselves, they had made the Duke and the Parliament irreconcilable; and that they have those of their Religion, who stands continually at the Duke

Duke's Chamber, to see who comes in, and goes out: They glory how admirably in their Speech and Gestures, they act the *Puritans*, and that the *Cambridge* Schollars shall find by woful Experience, they can act the *Puritans*, better than they have done the *Jesuits*: That their Foundation is *Arminianism*, that the *Arminians* and Projectors affect mutation.

Having thus laid the foundation for propagating their Religion, the *Jesuits* next care was for the State, and in the first place they consider the King's Honour and Necessities, and shew how the King may free himself of his Word, as *Levis* the 11th. Ed, and for greater splendor and lustre, how he may raise a great Revenue, and not be beholding to his Subjects, which was by way of Excise, which must be by a mercenary Army of Horse and Foot. For the Horse, they had made sure they should be foreigners and *Germans*, who would eat up the King's Revenue, and spoil the Countries wherefoever they came, though they should be paid, What havoc then will they make there when they get no Pay, or are not duly paid? They will do more mischief than we hope the Army will do.

This mercenary Army of 2000 Horse and 20000 Foot, was to be taken into pay before the *Excise* be settled: In forming the *Excise*, the Country is most likely to rise; if the mercenary Army subjugate the Country, the Soldiers are to be paid out of the Confiscations; they hope instantly to dissolve Trade, and to hinder the building of Ships, by devising probable Designs, and putting the State upon Expeditions, as that of *Cadiz*, and in taking away the Merchants Ships, so that they may not easily

easily catch, and light upon the *West-India Fleet*

A Jesuit, and nine Priests, were taken with this and many other Papers, which were delivered to Sir *John Cook*, Secretary of State ; the Jesuit was condemn'd, but reprieved by the King, because Sir *John Cook* said, *The King delighted not in Blood* ; and afterward the nine Priests were released by a special Warrant from the King ; and the King in his Reasons for dissolving the Parliament, makes the House of Commons enquiry into this Business, to be an exorbitant Encroachment and Usurpation such as was never before attempted by that House. By this you may see the religious Care, this pious Prince had for the Church of *England*, and how much he regarded the Laws of *England*, or minded the support of the poor Protestants in *France*, or the Re-establishment of his Brother-in-law in the *Palatinate*.

Thus stood things when the Parliament met the 17th. of *March*, when the King, (as Men in a deep Lethargy, no ways sensible of their pain, or the dangerous state they are in,) not considering the dangerous state he was in Abroad and at Home ; Abroad, in that he had made War upon the King of *Spain* without any Declaration of War, and that against his Fathers Advice, and of his Council ; and upon the K. of *France*, wherein himself, and his Favourite *Buckingham*, were the Aggressors ; At Home by his unheard of Invasions upon the Fortunes and Liberties of his Subjects, never before done by any King of *England*, in the short Interval of these two Parliaments, (scarce being 9 Months,) upon the opening of the Parliament, far unlike his Father in the last Parliament of his Reign, when his Case was

not neer so dangerous as this Kings (though their
Necessities were equal, to get Money by Parlia-
ment, when they could get it no other way) be-
gins his Speech.

My Lords and Gentlemen,

These Times are for Action, wherefore for Example
sake, I mean not to spend much time in Words,
expecting accordingly that your (as I hope) good Reso-
lutions will be speedy, not spending time unnecessarily, or
(that I may say) dangerously ; for tedious Consultations,
in this Conjunction of time, are as hurtful as ill Reso-
lutions.

I am sure you now expect from me, both to know the
Cause of your Meeting, and what to resolve on ; yet I
think there is none here but knows, that common Danger
is the Cause of this Parliament, and that Supply, at
this time, is the chief end of it, so that I need but point
to you what to do : All this but of Supply is Myste-
rious and General, and had need of an Inter-
preter.

The King goes on, and says, I will use but few
persuasions ; for if to maintain your own Advices, and
as the case now stands for the following thereof, the true
Religion, Laws and Liberties of this State (never so
violated by any King of England before him) and
the just defence of our true Friends and Allies, be not
sufficient, than no Eloquence of Men or Angels will pre-
vail.

What Parliament, or any other Council, but that
of Buckingham, advised him to make War, either
upon the King of Spain or France ; search all the Re-
cords of the Journals of the Parliament of 21 Jac.
and Rushworth, Franklin, and the Bishop of Litchfield,
V and

and see if in any one of them, there be one Sentence of making War against the King of *Spain*, but only to break off the Treaty with the *Spanish* Match, and for the *Palatinate*. But admit the Parliament had upon the Misinformation of the King and Duke, advised the King to have made War upon the King of *Spain*; yet since the Earl of *Bristol*, so shamefully blasted the whole Story not a year since in open Parliament, without any reply, How was this Parliament obliged to have made good, what that had done? And since the King dissolved the last Parliament, rather than the Duke should be brought to Tryal upon the Earl's Charge, which was a failure of Justice, Sure it had been more to the King's honour, not to have mentioned this to the Parliament, then that what he had done was by their Advice.

Did this Parliament, or any other, ever advise him to put the Fleet under the Command of Vice-Admiral *Pennington*, in the *French* King's power, to subdue the poor *Rochellers*, who never did him any wrong, to the ruin of the Reformed Interest in *France*, and to be the foundation of the *French* Grandeur by Sea; and then on the contrary, make War upon the *French* King, when he was the Aggressor? Did ever this, or any other Parliament, advise him to take his Subject's Goods by force, without, and against Law; and imprison their Persons by his Absolute Will and Pleasure, denying them the benefit of their *Habeas Corpus*'s, the Birth-right of the Subject, and to continue them prisoners during his Will, without allowing them a Tryal by the Laws, whether they were guilty of any Crime, or not; or to execute Martial Law, impose new Oaths, and give Free-quarter to Soldiers, in his own Kingdom, in time of peace?

How-

However the King goes on, and says, *Only let me remember you, that my duty most of all, and every one of yours, according to his Degree is, to seek the maintenance of the Church and Common-wealth, and certainly there was never a time in which this Duty was more necessarily required than now.*

Was the discharge of the pack of Jesuits, conspiring the ruin of Church and State with impunity, for the maintenance of the Church and Commonwealth; or was the Commission which the King granted the next day after the Writs for the Assembling the Parliament, to raise Monies by Imposition in the nature of Excise, to be levied throughout the Nation, for the maintenance of the Church and State; and at the same time to Order my Lord Treasurer to pay 30000 l. to Philip Burlemac, a Dutch Merchant in London, to be by him returned into the Low-Countries by Bill of Exchange, to Sir William Balfour and John Dalbier, for the raising of 1000 Horse, with Arms both for Horse and Foot, for the maintenance of the Church and Commonwealth of England: And also to call a Council for Levying Ship-money, now he had by his own Will taken the Customs without any Grant of Parliament, for the maintenance of the Church and State?

I therefore judging a Parliament to be the ancient, speediest and best way, in this time of Common danger, to give such Supply, as to secure Our Selves, and save our Friends from eminent Ruin, have called you together: Every Man must do according to his Conscience; wherefore if you (as God forbid) should not do your duties, in contributing what the State at this time needs, I must in discharge of my Conscience use those other means, which God has put into my hands, to save that, which

the follies of particular Men, may otherways hazard to lose.

Its certain a Parliament is the best way in time of *Common danger*, to give Supplies, and secure the Nation from eminent ruin, the Nation being most concerned in it ; yet what Parliamentary Advice did the King take the last nine Months? If the Nation, and the King's Friends be in such imminent ruin, the King should have declared who those Friends were, and who they were which threatned this ruin. When his Father died he was at peace with all the World, and it was his own wilfulness, that without any other Counsel but that of *Buckingham*, he made War upon *France* and *Spain*; and let any Man read the Passages of the short time of his Reign, and judge if the imminent ruin of the Nation were not from himself within, as well as without ; and if the granting him further Supplies, would not more endanger the Nation, in carrying on his Designs in both.

Here note, though the King had made no Conscience of what he had done, yet he now tells the Parliament, if they shall not do their Duties in contributing what the State at this time needs, he must in discharge of his Conscience, use those other means which God hath put into his hands, to save that which the follies of particular Men, may otherways hazard to lose. The King should have explained what other ways God put into his hands, to govern his Subjects than by Justice, Judgment and Righteousness, for all other ways are unjust and wicked ; and how any Man, how great foever, can plead Conscience, to perpetrate Injustice and Wickedness, must be unfolded by *Laud*, *Neal*,
Sibthorp,

Sibthorp, Manwaring, Mountague, Wren, Heylin, &c.

The King proceeds, and says, *Take not this for a Threatning, for I scorn to threaten any but my Equals, but an Admonition from him, that both out of Nature and Duty, has most care of your Preservations and Prosperities.*

This is *Humano capiti cervicem jungere equinam*. What a monster does the King here make a Parliament, the Head so incomprehensively big, and the Body so scornful and little ; but if it ill becomes any Man to glory in his own Actions, it worse becomes him to glory in that, which he himself had not done. So that admit the King had been so superlatively great, as to scorn all the World besides ; yet it would better have become any other to have said it, than the King. A Parliament is a Political Body, whereof the King is the Head ; and the Lords Spiritual and Temporal, and the Representatives of the Commons, the Body ; and, What is the Head without the Body ? Are not all the Members of every Body of use for the Head ? And does not the Head stand in need of every Member of the Body ? But if the Head be over-grown, and too big, and the Body too scornful and lean, is not this not only monstrous, but a Symptom of the Imperfection of the whole, and that it is in a declining and dangerous State ?

Yet the King tells them, the End of calling this Parliament was for Supply : *And did ever King, or other Man before him, tell those from whom he expected Supply, or any other Benefit, that he scorned them ; and if they do not their Duties, he would use other means, which God had put in his hands, without telling what those other*

means were; and call them Fools, and particular Men, if they do not their Duties, to save that they may otherwise hazard to lose, whereas heretofore the Kings of England ever thank the Parliament upon a Bill for Aids.

But after all this, the Parliament must not take it for a Threatning, but an Admonition: An Admonition may be taken in a double Sense, either to instruct another ignorant of his Duty ; or to menace or threaten another, if he continues obstinate in some Fault or Crime committed by that other ; but this Admonition of the Kings in the Parliament, must not be taken for a Threatning of them; therefore it must be for their instruction, ignorant of their Duties.

A Parliament was called by the Saxons, *Wittenage-Mote*, or the *Conventus Sapientum*, the Meeting of wise Men, who meet together to deliberate of the arduous and urgent Businesses of the Kingdom, and concerning the State and Defence of the Kingdom and Church of *England*, and is called the *Common Council* of the Kingdom, and the *General Council* of the Kingdom, and the *Council* of the Kingdom. See 4th. *Institute* 2d. and though the Writ of Summons of Parliaments be *Ad Tractandum & Deliberandum decertis arduis Regni negotiis, & pro Statu & defensione Regni & Ecclesiae Angliae concernentibus*, yet the Parliaments of *England*, unlike the Convention of the State of *Scotland*, are not tied up to those things only which the King propounds, but are free to treat and deliberate of all things, which otherways concern the Kingdom and Church of *England*: So that the great End of the Meeting of Parliaments, is to advise the King ; and all our *Saxon, Norman*
and

and *British* Kings had ever Parliaments in so high an Esteem, that we do not read any where before these two Kings of the *Scottish* Race came to Reign over us, that ever any King and Parliament parted in disgust; whereas since King *James* came to be King, five of six parted in disgust; and God knows what would have become of the other, if King *James* had not died before the Parliament met again.

Did ever any King of *England* before, though he scorned to threaten the Parliament, yet admonish them of their Duties, or otherways he would use those other Means, than by Parliament, which God had put into his hands? But *Quorsum hæc*, or where will the Designs of this young King stop? However you may see by this Speech of the Kings, that those who governed him, were as little Politicians, as Orators.

But good Laws often arise from corrupt Times, and bad Manners; for as *Magna Charta* did arise from the Usurpations of King *John*, and *Henry* the 3d. above the Laws and Liberties of this Nation, so did the *Petition of Right* the *Magna Charta* of this Age, from the Usurpations of this King, since the Dissolution of the last Parliament, to the Meeting of this, little more than 9 Months.

And as the old *Magna Charta* was no new Law, but a Declaration of the old, restored by *Henry* the 2d. King *John*'s Father, called the *Avitæ Leges*; so neither was the *Petition of Right*, which enumerates the Breaches the King had made of *Magna Charta*, and manifold other Laws, before it prays relief against them.

But these *Magna Charta's* were obtained after different manners, the Old by cruel Wars: the Doctrins of *Passive Obedience*, and submitting to the Absolute Will and Pleasure of the King, were strangers to those Days; and the Bishops were so far from those Doctrins, that they were the chief Promoters of it, and stigmatized the Infringers of it, the King himself not excepted, with a dreadful *Anathema*.

Whereas neither *Rome* nor *Athens* could ever glory in such an Assembly as the Commons of this Parliament were, for their Vertue and Learning; nor any Age produce such a number of Men of the like Integrity to their Country, and humble Obedience to their Prince. Notwithstanding the former Abuses of this Reign, they proceeded with no Censures and punishment of the King's evil Ministers (except *Dr. Manwaring*) but only to represent to the King, the Grievances of the Nation; and did not impeach the Duke of *Buckingham*, as they did in the last Parliament, nor proceed upon it, but only remonstrated to the King, the Evils which the exorbitant Greatness of the Duke brought upon the King and Nation, And how unsafe it would be to the Nation, to grant Aids to the King, which were misemployed for the exalting the Grandeur of the Duke: However before they entered upon Grievances, they voted the King five entire Subsidies, which was the greatest Tax that ever was before given to any King of *England* at once, and to be paid in the shortest time: Now let's see, tho' but in Epitome, how these things were changed, and what Returns the King made the Parliament and Nation.

The Unanimity of the Commons in this Gift, was not Less, than the Gift was Great, being *Neque contradicente* ; which so pleased the King, that he sent them word by Secretary, Sir *John Cooke*, that he would deny them nothing of their Liberties, which any of his Predecessors had granted them.

Then the Commons fell upon Grievances, and Voted the Imprisonment of any Free-man by Warrant from the King or Council, without a Cause alledged to be a Grievance ; and that the raising Monies by Loan, and imposing an Oath upon the Subject to discover the Value of his Estate ; the Billetting Soldiers, and Exercising Martial Law in time of Peace were Grievances.

Then several Debates arose in the House how the Subjects should be secured against these in Time to come : And upon the Motion of Sir *Edward Coke* the House agreed to Sue to the King by Petition, the most ancient and humble Address in Parliament, that his Majesty would give his People assurance of their Rights by Assent in Parliament, as he uses to pass other Acts : And hereupon the House Ordered Sir *Edward* to draw a Petition accordingly.

The House agreed to the Petition ; and Ordered Sir *Edward Coke*, Sir *Dudley Diggs*, Mr. *Selden*, and Mr. *Littleton* to carry it up to the Lords. The Duke of *Buckingham* and his Creatures were zealous to stop the Petition in the House of Lords ; but he was much fallen from his Lustre, since his dishonourable Expedition to the Isle of *Rhee* last Summer, and his Expedition to *Cales*. So as his Sway in the House of Peers was much abated ; Besides, the

the Bishops were not at this time all of a-piece for the Archbishop *Abbot* urged his own Case, how he was Banished from his Houses at *Croyden* and *Lambeth*, while the Duke was Prosecuting his Voyage to the Isle of *Rhee*, and confined to a Moorish Mansion-place at *Ford*, to kill him, and debarre from the Management of his Jurisdiction, and no Cause given for it : And *Dr. Williams* gave more learned and elegant Arguments for the Petition which you may read at large in the 2d. Part of the History of his Life, f. 77. 78. 79. but this stuck so close to him, that neither the King, nor *Lam* ever after forgot it ; which you may read f. 96. ii. 93.

The Lords would not Proceed to any determinate Vote, before they had heard the King's Council against the Petition, and the Commons defence of it, wherein no less time was spent then six Weeks the Managers for the Petition, were *Sir Edward-Coke*, *Mr. Selden*, *Sir Dudley Diggs*, *Sarjeant Glanville*, *Sir Henry Martin*, and *Mr. Mason*.

Besides *Magna Charta*, the Commons fortified the Petition of Right, with six other Acts of Parliament, explanatory of *Magna Charta*, viz. The Statute made in the Reign of *Edward* the 1st. commonly called the *Statutum de Tallagio non Concedendo*. The Statute of the 25 *Edward* the third, where it is declared, That from thenceforth, no Person shall be compelled to make any Loans to the King against his will because such Loans were against Reason, and the Franchise of the Land ; the Third was the Statute of the 28 *Edward* the Third, That no Man of what Estate or Condition soever, should be put out of his Lands or Tenements, nor taken, nor Imprisoned, or Disbereted,

put to death, without being brought to Answer by
Process of Law: The 4th. Statute the 25 Ed-
 ward the 3. 9: The fifth was 25 Edward the 3. 4.
 and the sixth 9. Hen. 3. 29, against exercising Mar-
 tial Law in times of Peace. These Statutes were so
 well managed by the Commons in defence of the
 Petition that Sir Robert Heath, who was Attorney
 General, and the rest of the King's Council, plead-
 ing, tho' eagerly, yet impertinently, had nothing
 to say materially against them, but submitted to
 the Judgment of the Peers.

However the Lords before they would put the
 Matter, entred into a Committee of the whole
 House, when my Lord Say moved, That those
 Lords who stood for the Liberties of the Nation,
 might make their Protestation, and that to be up-
 on Record; and that the other Opposite Party,
 should with the Subscriptions of their Names, enter
 their Reasons to remain upon Record, that so Poste-
 rity might not be to seek, who they were, so ig-
 nobly betrayed the Freedom of our Nation, and
 that this done, they should proceed to Vote: This
 struck such a daunt upon the other Party, that
 not one of them opposed it.

The Lords agreed to the *Petition of Right*,
 but with this Addition, or Saving; *Wee present this*
Humble Petition to your Majesty with the care not
only of preserving our Liberties, but with due regard to
the intire that Sovereign Power wherewith your Ma-
esty is trusted, for the protection, safety and happiness
of the People. But the Lords did not make any
 determinate Vote in it, but sent it to the Commons,
 for them to advise upon, the Bishop of *Lincoln* was
 a Great stickler for this Addition, to qualify what
 he

he had said before in Defence of the Petition which did him no good, the other sticking at *Mente*.

When this *Addition*, or *Saving* came down the Commons. Mr. Noy said, to *Add a Saving* not safe, doubtful Words may beget ill Construction, as the Words are not only doubtful, and words unknown us, but never used in any Act or Petition before.

And Sir Edward Coke said, ' This is *Multum Parvo*, this is propounded to the conclusion of our Petition: It is a Matter of great weight, and to Speak plainly it will overthrow all our Petition: it trenches on all the parts of it: it lies at *Loan* at the Oath, at Imprisonment, and Billeting Soldiers, this turns all about again: Look into all Petitions of former times, they never Petitioned wherein there was a *Saving* of the Kings Sovereignty; I know Prerogative is part of the Law but sovereign Power is no Parliamentary Word in my Opinion, it weakens *Magna Charta*, and all our Statutes, for they are absolute without any *Saving Power*; And shall we now add it, we shall weaken the foundation of the Law, and the building must needs fall. Take we heed what we yield unto, *Magna Charta* is such a fellow, that he will have no Sovereign: I wonder this Sovereign was not in *Magna Charta*, or in the Confirmations of it. If we Grant this by implication we give a Sovereign Power above all these Laws; Power in Law, is taken for a Power with force; The Sheriff shall take the Power of the County, what is Meant here, only God knows; It is repugnant to our Petition grounded on Acts of Parliament; Our Predecessors could

Could never endure a *Salvo Jure Suo*, no more when the Kings of Old, could endure for the Church, *Salvo Honore Dei & Ecclesiæ*; we must not admit this, and to Qualify it is impossible. Let us hold our Privileges according to the Law, that Power which is above this, is not fit for the King, or People to have it disputed further: I had rather for my part, have the prerogative acted, and I my self lie under it, then have it disputed.

Sir Thomas Wentworth said, ' If we admit of this Addition, we leave the Subject worse than we found him, and we shall have little thanks for our labour when we come home; let us leave all Power to his Majesty to punish Malefactors; but these laws are not acquainted with Sovereign power, we desire no new thing, nor do we offer to trench upon his Majesty's Prerogative, we may not recede from our Petition neither in part or whole.

Mr. Selden said, ' Let us not go hastily to the Question; if there be any Objections, let any propound them, and let others answer them, as they think good; If it (*the Saving*) hath no reference to our Petition, what does it here? I'm sure others will say it hath reference, and so must we, how far it does exceed all Examples of former times, no man can shew the like: Then he shews the manifold Statutes, besides *Magna Charta*, wherein is no such *Saving*; and whereas Mr. Speaker said, the King was our Heart, and ever shall be, but then Mr. Selden said, we spake of the King's prerogative, and we are bound to say so: But when we speak of our Rights, we are
' not

' not to be imprisoned, Saving but by the King
 ' Sovereign Power: Say, my Lands (without a
 ' Title) be seized into the King's hand, and I bring
 ' a Petition of Right, and I go to the King and
 ' say I do by no means seek your Majesty's Title
 ' and after that I bring a Petition or *Monstrance*
 ' *droit*, setting forth my own Right and Title, and
 ' with all set down a *Saving*, that I leave entire
 ' his Majesty's Right, it would be improper. Thence
 he cites many Statutes wherein there are *Savings*
 but no ways pertinent to this, which you may
 read at Large in *Rushworth's Collections*, and *Franklin's Annals*. And in truth it troubles me, I am
 forced to curtail this, not only in Mr. *Selden*
 but other Noble Persons, by reason the Treatise
 would swell to a greater bulk than I designed
 it.

The Lords afterward had a Conference with the
 Commons to fortify their Addition, managed by
 my Lord Keeper, which was Answered by Mr.
Mason; and after the Commons desired another
 Conference with the Lords, and Ordered *Sarjeant*
Glanville to argue the legal part of the Petition
 and Sir *Henry Martin* the rational part of it, which
 they did so well, that at a Conference May the 20th
 1628 between both Houses, the Lord Keeper from
 the Lords told the Commons, the Lords agreed
 with them in *omnibus* of their Petition, only in the
 alteration of two Words viz. [*Means*] for *Pretext*
 and for the word [*unlawful*] (*not warrantable by*
the Laws and Statutes of the Realm)

The Houses thus happily accorded, the Petition
 with the foresaid Amendments, were read two
 several times in the House of Commons, and then

upon

upon the Question Voted to be engrossed and read Third time, and the House to sit in the Afternoon till it was Engrossed and Read, and Ordered to be presented to the King, in which there was not one Negative; and the bill for the Subsidies was read a second time and Committed, and upon *Wednesday* the 28th. the Lords and Commons had a Conference about the Manner of delivery of the Petition, and Sir *Edward Coke* reported that their Lordships were agreed, That no Addition or Preface be used to the King, but that the Petition be preferred to his Majesty by the Command of the Lords and Commons; and that his Majesty be desired, to the Content of his People, he would give his Gracious Answer in full Parliament.

In all these Transactions the King was very uneasy, fain he would have the Money, yet was unwilling to Answer the Petition, the House was aware of this, and therefore agreed the Petition, before they would pass the Money-bill: upon the 12th. of *April*, the King, by Secretary *Cook*, acquainted them, of the necessity of Supply, and expected some fruit of what was so happily begun, but finding a stop beyond all expectation of so good beginning, the Secretary was therefore Commanded to tell them, that without any further or unnecessary delay they proceed in this business; and bid them therefore take heed, that they force him not to make an unpleasing end of that which was so well begun, and two days after the Secretary quickned the business of this Supply again.

Upon the 2d. of *May* the King sent a Message by Secretary *Cook*, that as he would rank himself amongst the best of Kings, wherein he has no intention

rention to invade or impeach our lawful Liberties, so he would have them to Match themselves with the best of Subjects, not by incroaching upon that Sovereignty, or Prerogative which God had put into his hands for their good; and that this Sessions of Parliament, must continue no longer then *Tuesday* come Sevensnight at the furthest, and that his Royal Intention is, to have another Session at *Michaelmas* next, for the perfecting such things as cannot now be done: Now let's see how unwillingly the King was brought to pass the petition.

Upon the 6th. of *May*, Secretary *Cook* pressed the House to rely upon the King's Word, and that the King promised to govern them by the Laws, and that they shall enjoy as much freedom as ever, and that this might be debated in the House; but Sir *John Elliot* answered, that the proceedings in a Committee, is more honourable and advantageous to the King and House, with whom the House agreed.

In the Debate of this Committee, some were for the Bill to rest, but Sir *Edward Coke's* Reasons prevailed to the contrary: *Was it ever known*, said he, *that General Words were a sufficient Satisfaction to particular Grievances? Was ever a verbal Declaration of the King, verbum Regni? When Grievances be, the Parliament is to redress them: Did ever Parliament rely on Messages? They put up Petitions of their Grievances, and the King answered them: The King's Answer is very gracious, but what is the Law of the Realm, that's the Question. I put no Diffidence in his Majesty, the King must speak by Record, and in Particulars, not in General: Did you ever know the King's Message to a*
Bill

Bill of Subsidies ; All succeeding Kings will say, You must trust me, as well as ye did my Predecessors, and trust my Messages ; but Messages never came into a Parliament : Let us put up a Petition of Right ; not that I distrust the King, but that I cannot take his Trust, but in a Parliamentary way.

Hereupon the Commons desired a Conference with the Lords, which was managed by Sir Edward Coke, who said,

My Lords, it is evident what necessity there is, both in respect of your selves, and your Posterities, to have good success in this business ; we have acquainted your Lordships with the Reasons and Arguments, and after we have had some Conference, we have received from your Lordships Propositions, and it behoves us to give your Lordships some Reasons, why you have not heard from us before now, for in the mean time, as we were consulting this weighty Business, we have received divers Messages from our great Sovereign the King, and they consisted of five parts.

1. That his Majesty would maintain all his Subjects in their just Freedom, both of their Persons and Estates.
2. That he will Govern according to his Laws and Statutes.
3. That we should find much confidence in his Royal Word : I pray observe that.
4. That we shall enjoy all our Rights and Liberties, with as much freedom as ever Subjects have done in former times.
5. That whether we think fit, either by Bills, or otherways, to go on in this great Business, his Majesty would be pleased to give way to it.

These gracious Messages did so work upon our Affections, that we have taken it into deep consideration. My

Lords, when we had these Messages (I deal plainly, for so I am commanded by the House of Commons) we did consider what way would be our most secure way, nay yours. We did think it the safest way to go on in a Parliamentary course, for we have a Maxim in the House of Commons, and written on the Walls of our House, That old Ways are the safest and surest Ways : And at last we did fall upon that, which we think (if your Lordships did consent with us) the most ancient of all, and that is, my Lords, the Via faulta, both to his Majesty, to your Lordships, and to our selves : For, my Lords, this is the greatest Bond, that any Subject can have in open Parliament, verbum Regis: This is an high Point of Honour, but this must be done by the Lords and Commons and Assented to by the King in Parliament : This is the greatest Obligation of all, and this is for the Kings Honour, and our Safety. Therefore, my Lords, we have drawn the Form of a Petition, desiring your Lordships to concur with us therein, for we do come with an unanimous Consent of all the Commons, and there is great Reason your Lordships should do so, for your Lordships be involved in the same danger ; and when the Petition was read.

Upon the 20th of May, the King wrote a Letter to the House of Lords, wherein he said, That as he had given leave to free Debates upon the highest points of his Prerogative Royal, which in times of his Predecessors were ever restrained, as Matters they would not have discussed, yet he finds it insisted upon, that in no Cause whatsoever, he and his Council could not commit without Cause shewed, which if granted, would dissolve the frame of the Monarchy : That he had made fair Propositions to the Commons, which might easily preserve the Liberty of the Subject : So he thought good to let their

their Lordships know, that without the over-throw of the Sovereignty, he could not suffer his power to be impeached ; yet that he will extend it beyond the just rule of Moderation, &c. which he thought good to signify, the rather to shorten the long Debates upon this great Question, the Season of the Year being so far advanced, and his great Occasions of State, not lending many more days for the continuance of this Session.

The same day the Lords communicated the Letter to the Commons, upon which Sir *Thomas Wentworth* said, it was a Letter of Grace, but the People will only like that which is done in a Parliamentary way, and the Debate upon it would take up much time, neither was it directed to the Commons, and the *Petition of Right* would clear all Mistakes ; for some give out as if the House went to pinch the King's Prerogative, and so the Letter was laid aside. These were while the Petition was in debate, and before it was agreed to by both Houses ; but after it was agreed upon the 2d. of *June*, the King came into the House of Lords, and having sent for the Commons, said,

Gentlemen,

I Am come hither to perform my Duty, I think no Man can think it long, since I have not taken so many days in answering your Petition, as you have spent weeks in framing it. I am come hither to shew you, that as well in Formal things, as in Essential, I desire to give you as much content as in me lies.

Then the Lord Keeper said,

M^R Lords, and ye the Knights, Citizens and Bur-
 gesses of the House of Commons, the King hath
 commanded me to say unto you, That he takes in good
 part, that in consideration of settling your own Liberties,
 ye have generally professed in both Houses, that ye have
 no intention to lessen or diminish his Majesty's Preroga-
 tive; wherein as ye have cleared your Intentions, so now
 his Majesty comes to clear his, and to subscribe a firm
 League with his People, which is ever likely to be most
 constant and perpetual, when the Conditions are most e-
 qual, and known to be so: These cannot be in a more
 happy state, than when your Liberties shall be an Orna-
 ment, and strength of his Majesty's Prerogative, and his
 Prerogative a defence of your Liberties, in which, his
 Majesty doubts not, but that both he and you shall take a
 mutual comfort hereafter; and for his part, he is resolved
 to give an Example in using his Power for the preserva-
 tion of your Liberties, that hereafter you shall have no
 cause to complain; and that they here read their own
 Petition, and his Majesty's gracious Answer.

Then the Petition was read, to which the King
 answered, The King willeth that Right be done, accord-
 ing to the Laws and Customs of the Realm; and that the
 Statutes be put in due Execution, that his Subjects may
 have no cause to complain of any Wrong, or Oppression
 contrary to their just Rights and Liberties, to the preser-
 vation of which he holds himself in Conscience as well ob-
 liged, as of his Prerogative.

This Answer no ways satisfied the Commons
 whereupon Sir John Elliot made a pathetick and
 lively representation of the Grievances of the Na-
 tion within, and of the danger and weakness of it
 by the mismanagement and abuse of the King's
 Ministers; and therefore wished that it might be
 stand

stand with the Wisdom and Judgment of the House, that these Dangers and Grievances may be drawn into the body of a Remonstrance, and therein humbly exprest with a Prayer to his Majesty, for the safety of himself, and for the safety of the Kingdom, and for the safety of Religion, that he would be pleased to give the House time to make perfect inquisition thereof; or to take it into his own Wisdom, and there give them such timely reformation, as the necessity of the Cause, and his Justice does import: Sir *Edward Coke* seconded Sir *John Elliot's* motion, and propounded that an humble Remonstrance be presented to the King, touching the Dangers and Means of the safety of the King and Kingdom, which was agreed to by the House, and thereupon the House turned themselves into a grand Committee, and the Committee for the Bill of Subsidies was ordered to expedite the said Remonstrance.

But this King rather than hear of what he had done, did not care what he did, and therefore the Speaker brought a Message from the King, That his Majesty having upon the Petition exhibited by both Houses, given an Answer so full of Justice and Grace, for which we, and our Posterity, have just cause to bless his Majesty, It is now time to draw to a conclusion of the Session, and therefore his Majesty thinks fit to let them know, That he does resolve to abide by that Answer, without further change or alteration, and so he will Royally and Really perform unto them, what he had thereby promised: And further, That he resolves to end this Session upon *Wednesday*, the 11th. of this Month, and that this House should seriously attend those

Businesses, which may bring the Session to an happy conclusion, without entertaining new Matters, and so to husband the time, that his Majesty may with more comfort bring them speedily together again; at which time, if there be any further Grievances not contained or expressed in the Petition, they may be more maturely considered, than the time will now permit. But this did not disturb the Commons, but they proceeded in their Declaration against Dr. *Mamwaring*, and the same day presented it to the Lords at a Conference, which was managed by Mr. *Pym*.

The Commons impeached the Doctor upon these three points, in his Sermons of Allegiance and Religion.

1. That he affirmed, that the King is not bound to keep and observe the good Laws and Customs of this Realm, concerning the Rights and Liberties of the Subjects; and that his Royal Will and Command in imposing Loans, Taxes, and other Aids upon his People, without common consent in Parliament, does so far bind the Consciences of the Subjects of this Kingdom, that they cannot refuse the same, without peril of eternal Damnation.

2. That those of his Majesty's Subjects that refused the *Loan*, did therein offend against the Law of God, and against his Majesty's supream Authority, and by so doing, became guilty of Impiety, Disloyalty, Rebellion and Disobedience, and liable to many other Taxes and Censures, which he in the several parts of his Book does most falsely and maliciously lay upon them.

3. That the Authority of Parliament is not necessary for the raising of Aids and Subsidies; that the

the slow proceedings of such Assemblies, are not fit to supply the urgent necessities of State, but rather apt to produce sundry Impediments to the just Design of Princes, and to give them occasion of Displeasure and Discontent.

Whereupon the Commons demanded Judgment against the Doctor, not accounting his Submission, with Tears and Grief, a Satisfaction for the Offence charged upon him, and the Lords gave this Sentence.

1. That he should be imprisoned, during the pleasure of the House.

2. That he should be fined 1000 l. to the King.

3. That he should make such submission and Acknowledgment of his Offences, as shall be set down by a Committee in writing, both at this Bar, and in the House of Commons.

4. That he shall be suspended for the Term of 3 Years, from the Exercise of the Ministry, and in the mean time, a sufficient preaching Minister shall be provided to serve the Cure out of his Livings; this Suspension and Provision to be done by the Ecclesiastical Jurisdiction.

5. That he shall be disabled hereafter to have any Ecclesiastical Dignity, or Secular Office.

6. That he shall be disabled hereafter ever to preach at Court.

7. That his Book is worthy to be burnt, and that for the better effecting of this, his Majesty may be moved to grant a Proclamation to call in the said Books, that they may be burnt accordingly in London, both the Universities, and for the inhibiting the printing thereof, upon a great Penalty.

This Censure immediately succeeding Sir John Elliot's representation of Grievances, startled Laud

as much as Sir *John's* representation did the Duke of *Buckingham* ; and the King that he might not hear of any more business of this kind, upon the 5th. of *June*, commanded the Speaker to let the House know, that he will certainly hold to the day fixed for ending the Session, viz. the 11th. and therefore requires them, that they enter not into, nor proceed in any new business, which may spend greater time, or which may lay any Scandal or Aspersions upon the State-government, or the Ministers thereof.

This put the House into a fearful consternation, whereupon the House declared, *That every Member of the House is free from any undutiful Speech, from the beginning of the Parliament to that day, and Ordered the House to be turned into a Committee, to consider what was to be done for the safety of the Kingdom, and that no Man go out of the House, upon Pain of being committed to the Tower.* But before the Speaker left the Chair, he desired leave to go forth, which the House granted.

Then Sir *Edward Coke* spake freely, ' We have dealt with that Duty and Moderation that never was the Like, *Rebus sic Stantibus*, after such a violation upon the Liberties of the Subject, let us take this to Heart. In 30 *Edw. 3.* were they then in any doubt to name Men that mislead the King? They accused *John of Gaunt*, the King's Son, the Lords *Latimer* and *Nevil*, for Mis-advising the King, and they went to the *Tower* for it; now when there is such a downfall of the State, shall we hold our tongues? How shall we answer our Duty to God and Men? 7 *H. 4. Parl. rot. 31. 32. 11 H. 4. Numb. 13.* there the Council are com-

complained of and removed from the King; they mewed up the King, and dissuaded him from the common good; and why are we turned from that way we were in? Why may not we name those that are the cause of all our Evils? In the 4 H. 3. 21 E. 3. 13 R. 2. The Parliament moderated the King's prerogative; and nothing grows to abuse, but this House hath power to treat thereof, what shall we do? Let us palliate no longer, if we do, God will not prosper us, I think the Duke of *Bucks* is the cause of all our Miseries, and till the King be informed thereof, we shall neither go out with Honour nor sit with Honour here. That Man is the Grievance of Grievances, let us set down the causes of all our disasters, and all will reflect on him. As for going to the Lords, that is not *via Regia*, our Liberties are now Impeached, we are Concerned; it is not *via Regia*, the Lords are not participant with our Liberties.

Mr. *Selden* advised, That a Declaration be drawn under 4 Heads; first, To express the House's dutiful Carriage to the King; 2dly, to tender the Liberties violated; 3dly to present what the House was to have dealt in: 4thly that that great Person, *viz.* the Duke, fearing to be questioned, did interpose this Distraction; All this time we have cast a Mantle on what was done Last Parliament. But now being driven again to look on that Man, let us proceed with that which was then well begun, and let the Charge be renewed that was last Parliament against him, to which he made an Answer, but the Particulars were sufficient, that we may demand Judgment upon that Answer only.

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In Conclusion, the House agreed upon several Heads concerning Innovations in Religion; the Safety of the King and Kingdom, Misgovernment, Misfortune of our late Designs, with the Cause of them, and when the Question was putting, that it should be instanced that the Duke was the Principal, and Chief Cause of all those Evils, the Speaker came in and said, that the King commanded for the present, that the House Adjourn till to Morrow, and that all Committies cease, which was done accordingly: And upon the 7th. of June, the King in Parliament passed the *Petition of Right*; whereupon there was an universal joy all over the City; and the Commons returned to their own House with unspeakable joy, and resolved so to proceed, as might express their Thankfulness, and order the Grand Committies for Religion, Trade, Grievances and Courts Justice to sit no longer, but that the House proceed only in consideration of Grievances of most Moment; which was their Remonstrance to the King of the weak distracted and dangerous State of the Kingdom, which was done in the most pathetick and humble manner, which could be expressed and presented to the King in the *Banqueting-house* upon the 7th. of June; Its very long, and consisted of these six Branches.

1. The danger of the Innovation and Alteration of Religion; This Occasioned by, first, the great esteem and favour many of the Professors of the *Romish Religion* receive at Court, 2dly, their publick resort to Mass at *Denmark-House*, contrary to his Majesty's Answer to the Parliaments petition at *Oxford*; 3dly, Letters to stay Proceedings against them,

em; Lastly, the daily growth of the *Arminian* faction, favoured and protected by *Neal*, Bishop of *Winchester*, and *Laud*, Bishop of *Bath and Wells*, whilst the Orthodox Party are silenced or discountenanced.

1. Dangers of Innovation and Alteration in Government, occasioned by billeting soldiers; by Commission of procuring 1000 *German* Horse and Riders for the defence of the Kingdom, by a standing Commission granted to the Duke, to be General at and in time of peace.

3. Disasters of our Designs, as the Expedition to the Isle of *Rhee*; and that lately to *Rockel*, where the *English* have purchased their Dishonour, with the waste of a Million of Treasure,

4. The want of Ammunition, occasioned by the selling 36 Lasts of Gunpowder at low Rates.

5. The Decay of Trade, by the loss of 300 Ships taken by the *Dunkirkers*, and other Pirates within the 3 last Years.

6. The not guarding the narrow Seas, whereby His Majesty has almost lost the Regality: *Here note, that none of these except billeting Soldiers, which was yet continued, were contained in the Petition of Right.*

Of all which Evils and Dangers, the principal Cause is the Duke of *Buckingham*, his excessive Power, and abuse of that Power; and therefore humbly submit it to his Majesty's Wisdom, whether it can be safe for himself and Kingdom, that so great Power should be trusted in the Hands of any one subject whatsoever.

Its observable, how cross the King set himself against the Commons in this *Remonstrance*; for in the last Parliament, when the Commons Impeached the
the

the Duke, and the Earl of *Bristol* exhibited Articles against him; the King ordered the Attorney General to exhibit an Information against the Duke in the Star-Chamber, for the great Misdemeanors and Offences complained of against him by the Commons and Earl; thereby to have stopt the proceedings against the Duke in Parliament, as he would have taken the Earl's Cause out of Parliament and proceeded against him by Indictment; but the King hearing of this *Remonstrance* of the Commons against the Duke, the day before the Commons presented it, viz, upon the 16th. of *June* caused the Attorney General to take the said Information, and all the proceedings to be taken off the File, for that his Majesty was fully satisfied of the Duke's Innocency, in all those things mentioned in the Information, as well by his own certain knowledge, as by the proofs taken in the Cause.

This was the first fruit the Parliament and Nation reaped by the *Petition of Right*, now let's see the next, and whether the Commons deserved such Censure, as the King made upon them at the Prorogation of the Parliament.

After the Commons had presented a Remonstrance of their other Grievances to the King, they then took into consideration the preparing a Bill for Granting his Majesty a subsidy of Tunnage and Poundage, as might uphold the King's profit and Revenue in as ample a manner, as their just care and respect of Trade would permit, But this being a Work of time, and would require much time and Conference with Merchants, and others; and being often Interrupted by Messages from the King and the shortness of time limited by the King to
con

cluding this Sessions; and fearing the King might be Misinformed of this Particular, they were forced by the Duty which they Owed to his Majesty to Declare, *That there ought not any Imposition to be laid upon Goods of Merchants exported nor imported, without Common Consent by Act of Parliament.*

For manifestation whereof, they desired his Majesty to understand, ' That tho' the Kings of this Realm, had often such subsidies granted them upon divers Occasions, especially for Guarding the Seas, and Safeguard of Merchants; yet the Subject have been ever careful to use such cautions and limitations in these Grants, that they did proceed not from duty, but the free Gift of the Subjects; and that heretofore they used to limit a time for such Grants, and for the most part but short as for a Year or two; and at other times it has been Granted upon occasion of War, with *Proviso* that if the War ended in the mean time, then the Grant should cease; and of course it has been Sequestred into the Hands of some Subject, to be employed for Guarding of the Seas; very few of the Kings predecessors had it for life, until the Reign of *Hen. 7.* who was so far from conceiving he had any Right thereunto, that altho' he Granted Commissions for Collecting Certain Duties and Customs due by Law, yet made none for receiving the Subsidies of Tunnage and Poundage, till it was Granted in Parliament: since his time all Kings and Queens have had such Grants for Life by the Free love and good will of the Subject: But when soever the People have been grieved by laying on any other Impositions or Charges upon their Goods and Merchandise with-

out

' out Authority of Law (which has been very seldom
 ' yet upon Complaint in Parliament, they have
 ' been relieved; Saving in the time of your Roy
 ' Father, who having through ill Counsel raise
 ' the Rates and Charges upon Merchandize to the
 ' heighth at which they now are, yet he was please
 ' so far to yield to the Complaint of his People as
 ' offer that if the value of such impositions as he
 ' had set, might be made good unto him, he would
 ' bind himself and his Heirs by Act of Parliament
 ' never, to lay any more, which offer the Common
 ' did not yield to; Nevertheless your Loyal Com
 ' mons in this Parliament, out of Special zeal to
 ' your Majesty's service, and especial regard to
 ' your preſſing occasions, have taken into their
 ' Consideration, so to frame a Grant of Subsidy of
 ' Tunnage and Poundage to your Majesty, that
 ' both you might have been better Enabled for the
 ' defence of your Realm; and Subjects, by being
 ' more secure from all undue Charges, be more
 ' Encouraged chearfully to Proceed in Trade; by
 ' Encrease whereof your Majesty's profit, and like
 ' wise the strength of the Kingdom, would be
 ' much augmented.

' But being now not able to accomplish this their
 ' desire, there is no Course left to them, without
 ' manifest breach of their Duty to his Majesty and
 ' Country, save only to make this Declaration
*That the Receiving Tunnage and Poundage, and other
 impositions not Granted by Parliament, is a breach of
 the Fundamental Liberties of this Kingdom, and contrary
 to your Majesty's Royal Answer to the Petition of Rights.*

The King, who had so unwillingly heard the
 Commons Remonstrance against the Duke, before
 the

the bill of Subsidies was passed both Houses, now was Past both Houses, was resolved to hear no more of this, and therefore when this *Remonstrance* concerning the Tunnage and Poundage was Enrolled, and Reading in the House, the King sent for the Speaker, and the House, to the House of Lords, where the King came so unexpectedly, that the Lords had not put on their Robes, nor had the Commons given the Speaker any Order or direction to Deliver the Bill of Subsidies, neither was it brought down to the Commons again as is usual.

When the Commons came to the Lords House the King said, *It may seem strange that I come so suddenly to end this Session; before I give my assent to the Bills, I will tell you the Cause, tho' I must avow that I am the Account of my Actions to God alone; It is known to every one of you that a While ago the House of Commons gave me a Remonstrance how Acceptable every Man may Judge; and for the Merit of it I will not call it in Question, for I am sure no Wise Man can Justify*

Did ever any King of England, but this King's father, and himself, treat a Parliament, or either House at this rate before? At the opening of the Parliament he calls them *Fools*, if they would not do as he would have them; and now he tells the Commons, *No wise Man can justify their Advice to him: I'm sure, a wiser Man than this King, or his father says, He that wins Souls is wise, and if you convert the proposition, He that provokes them is otherwise.* Heretofore the Kings of England, and, I believe, all prudent and civilized Princes, ever forbore to give any Petitioners harsh Language; if their
Petitions

Petitions did not please, their usual Answer was *The King will consider, or be advised upon them.*

One great End of the Meeting of Parliament is, truly to represent to the King the State of the Kingdom, which is rarely done by Flatterers and Favourites, whose Interest is contrary to that of the Kingdom; and if any thing be done to the prejudice of the King and Kingdom, that both may be redressed in Parliament. In the Commons Remonstrance to the King, they set forth the weak and dangerous state of the Kingdom, equally dangerous to the King and Kingdom, in six several particulars: Does the King either answer or deny any one of the particulars? Otherwise then *That be sure no wise Man can justify their Remonstrance*, but tell no Reason for this, nor from whom he had the assurance.

Was ever any King or Man so great, as to be above his Interest, or less, for being well advised in all his Actions? Nay ought not, not only every King, but other Men be so much more careful and advised in all their Actions, by how much greater they are.

The King goes on, and says, *Now since I am truly informed, that a second Remonstrance is preparing for me, to take away the profit of Tunnage and Poundage, one of the chief Maintinances of my Crown, by alledging I have given away my Right thereto, by my Answer to your Petition.*

So that here the King hath true Information of that, but says not how he was truly informed which was not in Being, for the Remonstrance was not passed the Commons, when the King came in to the House of Lords; so that it may more probably

ably be, the King is not truly informed of this Remonstrance: I'm sure he is misinformed (if the Remonstrance, as it is printed in *Rushworth* and *Frank-* be true, that the Commons alledged the King had given away his Right to the Customs, by his Answer to the *Petition of Right*: For the Commons denied there, that either he, or any of his Predecessors before him (which was long before the *Petition of Right*) had any Right to them; before they were granted by the free Gift of the Subject, though the King would take the Customs, to which he had no right, yet would he not permit the Commons to sit, till they could perfect a Bill to give him Duties upon *Tunnage* and *Poundage*, without which no King of England before him claimed any other Right.

But since the King says in his Declaration for the Dissolution of the Parliament, that his Predecessors, time out of mind, have had these Customs, but says not who told him so; Its fit to see when and what Customs of *Tunnage* and *Poundage* was taken, and for what end, and how they were taken. Sir *Edward Coke* in his 4th. *Institute* of the High Court of Parliament, fol. 32. out of Records makes 13 Observations, upon the Subsidy of *Tunnage* and *Poundage*.

1. Of *Poundage* only, at 6 s. in the pound, for 2 years upon condition, &c. and this was 47 *Edw.* 3.
2. 6 d. for *Poundage*, 2 s. for *Tunnage* of Wine, *hac vice*; this was 6 *Ric.* 2.
3. 6 d. of every pound of Merchandize, 2 s. of every Tun of Wine upon Condition, &c. and *hac vice*; this was 7 *Ric.* 2.

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4. Some-

4. Sometimes to have intermission, and to vary least the King should claim them as Duties, as 2 18 d. 3 s. 5 Ric. 2. 9 Ric. 2. 10 Ric. 2.

5. 3 s. for *Tunnage* of Wine, and 2 s. 6 d. for *Poundage* for one year, 11 Ric. 2.

6. 3 s. for *Tunnage* of Wine, and 1 s. for *Poundage* *bac vice*, 13 Ric. 2.

7. 6 d. for *Poundage*, and 18 d. for *Tunnage* of Wines, for 3 Years, 14 Rich. 2.

8. 8 d. for *Poundage*, and 2 s. for *Tunnage* of Wine 2 Hen. 4.

9. 12 d. for *Poundage*, and 3 s. for *Tunnage* of Wine, for 3 Years, 4 Hen. 4.

10. 12 d. for *Poundage*, and 3 s. for *Tunnage* of Wines, for several times, upon Condition, some times for one Year, 6 Hen. 4.

11. 12 d. for *Poundage*, and 3 s. for *Tunnage* of Wines, for 4 Years, 1 Hen. 5.

12. The like Subsidy was granted to Henry 5. in the 3 d. year of his Reign for Life, for carrying on the War against France.

13. *Tunnage* of Wine, and *Poundage* was granted to Edw. 4. for Life, with no Retrospect, but for time to come, 4 Edw. 4.

These were continued to all the Kings and Queens of England, after Edw. 4. to King Charles the first but these were of Wines only; but these were always granted for the guarding the Seas, and of the free good Will of the Subject.

So that the first grant of these Duties of *Tunnage* and *Poundage* for Life, began at Hen. 5. but that was but for that part of his Life for time to come, being granted in the 3d. year of his Reign; and so were those in the Reign of Edw. 4. which were granted

granted in the 4th. of his Reign ; and *Hen. 7.* would not take them till they were granted by Parliament, and Sir *Robert Philips* (who was a Member of Parliament, *primo Jac.*) says in his speech in Parliament, (*Mr. Rushworth* mentions *fol. 644.*) that by reason of the Sicknes *primo Jac.* the Parliament was prorogued, and then some were so bold, as to demand the Duties of Tunnage and Poundage, for which they were questioned in Parliament.

But after the Duties of Tunnage and Poundage were given to King *James*, and settled by a Book of Rates, King *James* (which none of Predecessors never did before) imposed higher Duties upon several sorts of Merchandize than was granted in Parliament, by his own Will, and so continued them to his death ; and after his death, his Son by his own Will, took not only those Duties granted by Parliament, but those imposed by his Father, neither would he permit the Parliament to sit to establish a Book of Rates, but prorogued, or dissolved them before they could accomplish it, and this was the *Right* he Charges the Commons to endeavour to take away, by his granting the *Petition of Right*.

The King goes on, and says, *This* (the Right to Tunnage and Poundage, alledged to be given away by the Commons) *is so prejudicial to me, that I am forced to end this Session some few hours before I meant, being unwilling to receive any more Remonstrances, to which I must give an harsh Answer : And since I see that the House of Commons begins already to make false Constructions of what I granted in your Petition, least it be worse interpreted in the Country, I will now make a Declaration concerning the true intent thereof.*

The King should have declared whether he saw this false Construction of the Commons, with his own Eyes, or the Eyes of another; if with his own Eyes, why does he not declare wherein the Commons made this false Construction of his Grant; or if he saw, or heard of this false Construction of the Commons from another, the King should have said who told him so: Now let us see if the contrary of what the King so injuriously charges the Commons with, be not true.

The Commons say, no King of *England* ever claimed these Customs, but by the free gift of his Subjects; does the King deny this, or shew that ever any King of *England* claimed them otherways, or by any other Right? The Commons say, his Father raised them to the height they then were, without Act of Parliament, or free gift of the People; Does the King deny this to be true? And that the King continues to take these Customs, without any Act of Parliament, or Gift of the People: Does the King deny this? Do not the Commons tell the King, that out of their zeal to his service, and especial regard to his pressing Occasions, they had under consideration so to frame a Grant of a Subsidy of Tunnage and Poundage to his Majesty, that he might have been the better enabled for the defence of his Realm and Subjects, by being secure from all undue Charges for the security of Trade, the profit of the King, and Strength of the Kingdom? Does the King deny this? With what Conscience and Justice then does the King say, the Commons made false Constructions of his Answer, alleadging he had given away his Right to the Customs, by his Answer to the *Petition of Right*, when
or

or where is any such Allegation in any part of the Remonstrance.

The Commons say, that since the King will not permit them to finish their intended Subsidy, they have no course left, without manifold breach of their Duty to his Majesty and their Country, save only to make this humble Declaration, *That the receiving Tunnage and Poundage, and other Impositions, not granted by Parliament, is a Breach of the Fundamental Liberties of this Kingdom, and contrary to your Majesties Answer to the Petition of Right.* Does the King shew that it was not the Commons duty to represent this to him? Or that the Commons alledged he had any Right to the Duties, which he had given away by his Answer to the Petition of Right? Now let's see the King's Declaration of the true intent of his Answer to the Petition of Right.

The Profession of both Houses in the time of the Hammering (spoke like a King) this Petition, was no ways to trench upon my Prerogative (no more it did) saying, They had neither intention or power to hurt it ; therefore it must needs be conceived, that I have granted no new, but only to confirm the ancient Liberties of my Subjects : Yet to shew the clearness of my Intentions, that I neither repent, nor mean to recede from any thing I have promised you, I do here declare my self, That those things which have been done, whereby many have had some cause to expect the Liberties of the Subject to be trenched upon, and indeed was the first and true ground of the Petition, shall not hereafter be drawn into Example for your prejudice, and from time to time, in the Word of a King, ye shall not have the like cause to complain : But as for Tunnage and Poundage, it is a thing I cannot want, and was never intended by you to ask, nor

meant by me, I am sure, to grant: Nor did the Commons ask any Grant of it, to them, or any other.

To conclude, I command you all that are here, to take notice of what I have spoken at this time, to be the true Intent and Meaning of what I have granted you in your Petition, especially you my Lords the Judges, for to you only, under me, belongs the Interpretation of the Laws, for none of the Houses of Parliament, either joint, or separate (what new Doctrine soever may be raised) have any Power either to make, or declare a Law, without my Consent ; and you need not doubt but these shall be *Durante bene placito* Men all, who shall not scruple to make the King's Will, to be the Subject's Law, and those that will not, shall be none of this King's Judges.

I do not find that the King before he prorogued them, gave the Parliament any thanks for the Bill of Subsidies, though greater than ever was given to any King before, as his Predecessors ever did, or if he did, it ill sorted with the Speech he made before : But before we proceed to take a view of this King's Actions in the Interval of this recess of Parliament, let's a little consider the present state of the King and Kingdom ; and herein who it was the King quarrelled with, and upon what Account, and for whose sake ? It was with the Representatives of the Kingdom, who had so obsequiously and unanimously gratified him, above what any other House of Commons ever did to any King of *England* before. The Crimes for which the King inveighed so against them were, for representing their Grievances, and the dangerous and feeble state of himself, and the Kingdom ; and to represent to him the Fundamental Laws of the
King-

Kingdom, by taking the Customs, as he did, yet declaring their readines to relieve him therein, and to reconcile him to his Subjects ; And for whom was it the King thus contended , but for a Favourite, who against the King's Father's Will, and Advice of his Council, without any Declaration or Reason shewed, the next day after the King's Father's death, as the Bishop of *Litchfield* observes, excited him to make War against the King of *Spain*, and after made the King to dissolve the Parliament, to save himself from being impeached in it ; and so he did the 2d. Parliament, and then engaged the King in a War against *France*, wherein he himself was the Aggressor, and put the King upon those unheard of ways to support these Wars, that never were practised by any King of *England* before, and in the ill management of them, brought greater Loss and Dishonour to the Nation, than ever was before ; a Favourite who besides these, brought the Crown to extream poverty, to support his intolerable Ambition and Avarice.

Here again I cannot but note, the miserable state of Princes, who treat their Subjects as Enemies, and their Favourites, as their only Friends and Confidants above other Men ; for other Men's enemies are but few, and the rest of Mankind their friends, but the Majesty, Glory and Honour of a Prince, is founded in the Love and Obedience of his Subjects ; and if this be lost, whereto then can a Prince berake himself ; what became of *Edw. 2.* and *Rich. 1.* (tho' two of those four Hereditary Princes, of ten after the Conquest) when they had lost the Love and Obedience of their Subjects ; and this Prince, and his Sons after him, made hast to over-take
 Y 4 their

their Fate: Not one of many hundreds of private Men, but die a Natural death, but,

—Sine cæde & sanguine pauci

Descendunt Reges; —

But above all, those of this *Scottish Race* of Kings, descended from *Elizabeth More*, which 'tis a Question whether any one of Nine of them in a continued Succession, died a Natural death.

The Duke of *Buckingham* upon his Retreat from the Isle of *Rhee*, promised the *Rochellers* to send them speedy relief; and to make good his word, sent the Earl of *Denbigh* (his Brother-in-Law) with a Fleet to relieve it, now close besieged by the *French King*; the Earl came before *Rochell* the first of *May* 1628, where he found the *French Fleet* of 20 Sail had block'd up *Rochell* by Sea; upon the Approach of the Earl, the *French* retired towards their Fortifications, and Anchored within two Cannon shot of the Fleet and so continued till the 8th. of *May*; the Earl promised the *Rochellers* to sink the *French Fleet*, when the Waters encreased, and the Wind came *Westerly*, it being then neap Tide; But two days after the Waters did encrease, and the Wind became *Westerly*, then the Earl being entreated to fight the *French Fleet*, did not, but weighed Anchor, and came away, only four of the *French Fleet* at a distance, pursuing the *English Fleet*. Thus was the Duke's Expedition to the Isle of *Rhee* seconded by this of his Brother-in-Law for the Relief of *Rochell*. I do not find the Parliament took notice of this, but if they had, it had been to no purpose; for soon after the Earl's return, the King resolved not to hear of the Commons remonstrance against his taking the Customs, not granted by Parliament, to which he said, he must have

have given an harsh answer, upon the 26th of June, Prorogues the Parliament to the 20th. of October following, and after by Proclamation to the 20th. of January.

To redeem his Brother-in-Law's Miscarriage, the Duke in this recess goes to *Portsmouth* to command the Fleet there to relieve *Rockell*, but at *Portsmouth* he is stabbed by *Felton* the 23 of August; yet was the design pursued under the command of the Earl of *Linsay*, who several times attempted to force the Barricadoes of the River before *Rockell*, but all in vain; or if he had, it had been to no purpose; for the Victuals wherewith the *Rockellers* should have been relieved, were all tainted; and'twas well the French had no Fleet there, for the *English* Tackle and other Materials were all defective: This was the last Attempt this unhappy King made, either for the Relief of the poor Protestants in *France*, or recovery of the *Palatinate*, for now *Buckingham* was dead, who put him upon making War with *Spain* and *France*, the King as secretly, as before he had done suddenly, made peace with both *Spain* and *France*.

What's now become of the twelve Subsidies, and three fifteenths granted to this King's Father, and him in less that eight years time by Parliament, for recovery of the *Palatinate*, besides Loans, Benevolences, Coat and Conduct Mony, raised by his Father and himself, without consent of Parliament; yet any Man shew in any Records of time, that half so much in like time was raised by any of our Kings upon any occasions, except the Dissolution of *Abbey's* in *Henry* the VIII's time? Search all Histories, and find any one Prince so wilfully set to be Governed by such loose, vain, wild, and negli-

negligent Councils, as either of these Princes, Father or Son.

Now let's see the condition of these poor *Rockers*, trusting to this Prince and his Favourite they lived long upon Horse-flesh, Hides, Leather Dogs and Cats, hardly leaving an Horse alive, still in hopes of the Relief promised from *England*. They held out so long, till but 4000 of 15000 were left alive; most of them died of Famine, and when they began to be pinched with extremity of Hunger, they died so fast, that they usually carried their Coffins into the Church-yard, and other Places, and therein lay'd themselves, and died great numbers of them being unburied, and many Corps eaten with Vermine, Ravens and Birds when the *French* Army entred the Town: the Outrages committed against the reformed Churches in *France* were so high, as constrained them to implore King *Charles* his Aid, in these Expressions: *That what they wrote was with their Tears and Blood*. But how unhappy soever this Prince's Fate was in War abroad, yet it had been happy for him, if he had not made his Fate worse at home; and now let us see what steps he made towards it, even in this short recess of the Parliaments meeting.

Upon the 15th. of *July*, the King made Sir *Richard Weston* (who died a declared Papist) Lord Treasurer of *England*; and the same day Translated *Laud*, (the Firebrand of the *Arminian* Faction to the Bishoprick of *London*, whose next step was Arch-bishop of *Canterbury*) who that he might testifie his zeal to this Cause, which after set all these Nations on Fire, got *Richard Montague* to be consecrated Bishop of *Chichester* the 24th, of *August* following. ;

This *Montague* was fierce for *Arminianism*, and wrote a Book, call'd *A New Gag for an Old Goose*; which he was questioned in the Parliament of 1625 *Jac.* and the Cause was committed to *Arch-bishop Abbot*, which then ended in an Admonition; and though the Arch-bishop disallowed the Book, and sought to suppress it, yet it was reprinted and dedicated to King *Charles* under the Title of *Appello Caesarem*: Hereupon the Commons, 1 *Car.* questioned *Montague* for this, and gave thanks to the Arch-bishop for what he had done; but this displeased the King, who took the business out of the Commons hands; but they had taken Bond of *Montague* to appear.

I desire to be more particular herein, because *Arminianism* was not only turn'd up Trump for the flattering Clergy to play their Game; but for the Popish Party to undermine the Church of England, as it was established by Law, and the Canons, Doctrine and Homily's of it; and now *Montague's* Cause was recommended to the Duke of *Buckingham*, by the Bishops of *Rocheſter*, *Oxford*, and *Laud*, Bishop of *St. Davids*, as the cause of the Church of England. Thus this Cause stood, when the King dissolved the first Parliament the 12th. of *August* 1625.

But the King's necessities, as he managed business, pressing him to call another; before assembled, and procured the Duke to sound the King, whether he would leave *Montague* to a Tryal in Parliament, which the King intended to do; hereupon this pious Man *Laud*, said, *I seem to see a Cloud Arising and Threatning the Church of England; and of his Mercy dissipate it.*

Note,

Note, that all those who were not of this Faction of *Arminianism*, were styled by them *Puritans*; these *Montague* treats with bitter Railing, and Injurious Speeches; and inserts divers Passages in his Appeal, dishonourable to King *James*; the Commons therefore pray'd that the said *Montague* might be Exemplarily punished, and his Books suppressed and burnt. Yet this is the Saint that *Laud* in the first Act of his Regency, as it may be called, after he became Bishop of *London*, must have made Bishop of *Chichester*, and after Bishop of *Norwich*. But this is observable, that while *Neal* and *Laud* were Consecrating *Mountague*, news came of the Duke being stabb'd.

This was the first step after *Laud*'s preferment; the next was a Pardon for *Mountague* and *Manwaring* of all Errors by speaking, writing and printing; and you cannot believe that *Laud* would be less kind to *Manwaring* than to *Mountague*; and therefore notwithstanding *Manwaring*'s censure, he procured *Manwaring* the fat Rectory of *Stamford Rivers* in *Essex*, and a dispensation to hold it with the Rectory of *St. Giles in the Fields*.

That you may see the kindness of this Bishop of *London* to our Laws in the very Infancy of his Power, When *Felton* was brought before the Lords of the Council for murdering the Duke; *Laud* threatened *Felton* with the Rack, unless he would confess his Inducement for murdering the Duke; but the King then in Council refused, till the Judges were consulted; and said if it could be done by Law, he would not use his Prerogative; but though the Judges determined he could not be put to the Rack by Law, the King was graciously pleased not to use his Prerogative, yet this was not thanks to the Bishop of *London*.

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Now let's see the fruits of the Petition of Right, and the manifold Declarations of the King for maintaining the Laws of the Land, and the just Rights and Liberties of the Subject ; but here you may understand , that though he had taken the Customs not granted by Parliament, yet by virtue of his Prerogative Royal, he had enhanced the Rates, such as were never granted by any Parliament, and declared it his absolute Will and Pleasure (besides that of Wines) that the 2 s. and 2 d. duties upon every Hundred of Currants by the Book of Rates, should be advanced to 5 s. and 6 d. in the Hundred.

The first that suffer'd under the King's absolute Will and Pleasure, was Mr. *Chambers*, who was committed by the Lords of the Council this *Michaelmas*-Term, and was bayled by the Court of *Kings-bench*; for which the Judges were checked, having done it without due respect to the Privy-Council.

Next, Mr. *Vassal's* Goods were seized, for not paying the 5 s. 6 d. upon every hundred pound worth of Currants; upon which, the Attorney General, Sir *Robert Heath*, exhibited an Information against him in the *Exchequer*; to which, Mr. *Vassal* pleaded the Statute. *De Tallagio non Concedendo* and that it was neither *Antiqua seu Recta Consuetudo*; to which the Attorney demurred, and Mr. *Vassall* joyned in the Demurrer, but the Court would not hear Mr. *Vassall's* Council, and said, the King was in possession, and they would Keep him so, and imprison Mr. *Vassall* for not paying the duty thus imposed.

About the same time, the said Mr. *Chambers's* Goods were seized by the Customers, for not paying
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ing such Customs as were demanded by the Farmers; Mr. *Chambers* sues a Writ of *Replevin*, the Barons Grant an Injunction against it; Mr. *Chambers* offers to give Security for payment of such duties as the Court should direct, which the Court refused, unless he should pay such Customs as demanded by the Farmers; which *Chambers* refusing the Court ordered the Officers to detain double the value of *Chambers's* Goods, demanded by them. The same course was taken with M. *Rolls's* Goods though a Parliament Man; One of the Commissioners saying, *Priviledge of Parliament extended only to Persons, not Goods*; another more boldly told M. *Rolls*, *If all the Parliament were in you, we would take your Goods.*

These Proceedings so ill sorting with the *Petition of Right* the King (as *Norton* the Printer said) commanded the printing of the *Petition*, with other Additions, besides the King's Answer; and that he had Printed 1500 Copies with the King's Answer without the other additions; but these were suppressed by Warrant, and the Attorney General commanded no more should be printed, and those which were should not be divulged: These were the Just and Religious Acts of this pious King; and can any Man believe the Parliament at their meeting, should without Breach of a publick Trust, sit still, and not represent these things to the King.

The Parliament did meet according to their Prorogation the 20th. of *January*, 1628. and debated these Practices against Church and State which hapned since the 26th. of *June* before; but now see the Artifice of this little Prince, rather than hear of any thing in this kind; he commands the

Speaker

Speaker, Sir *John Finch* (the late Lord Chancellor *Finch's* own Uncle) to put no question upon debates of Grievances. So that the House could do nothing but sit still or adjourn, and this continued till the 2d. of *March*, when the Commons met and urged the Speaker to put the question concerning Grievances, who answered, I have a Command from the King to adjourn the House till the 10th. of *March*, and put no question; and endeavouring to go out of the House, he was held by some Members, till the House had made this Protestation.

1. Whosoever shall bring in Innovation of Religion, or by Favour or Countenance, seem to extend or introduce Popery or *Arminianism*, or other Opinions, disagreeing from the *Truth* and *Orthodox* Church, shall be reputed a Capital Enemy to this Kingdom, or Common-wealth.

2. Whosoever shall counsel or advise the taking or levying the Subsidies of Tunnage and Poundage, not granted by Parliament, or shall be an Actor or Instrument therein, shall be likewise reputed an Innovator in the Government, and a Capital Enemy to the Kingdom and Common-wealth.

3. If any Merchant or Person whatsoever, shall voluntarily yield, or pay the Subsidies of Tunnage and Poundage, not being granted by Parliament, he shall likewise be reputed a betrayer of the Liberties of *England*, and an Enemy to the same.

This Act consisted in two Parts, the Speaker and the House; the Speaker's of three parts, a Command by the King to put no Question, to Adjourn till the 10th. of *March*, and an endeavour to go out of the House. In the former Session of this Parliament, Secretary *Cook*, the 10th. of *April*, from the
King,

King, desired the House not to make any Recess those *Easter* Holy-days, that the World may now take notice how earnest his Majesty, and We were for the publick Affairs in *Christendom*, which would receive Interruption by this Recess.

To which Sir *Robert Philips* answered, That the 12 and 18 *Jac.* the House resolved it was in their power to Adjourn, or Sit; and that this may be put upon them by Princes of less Piety; and that a Committee consider of the Houses Right, Sir *Edward Coke* said, the King makes a Prorogation; the House adjourns it self: That a Commission of Adjournment, the House never read, but say, the House adjourns it self; yet here the Speaker verbally says, I am commanded by the King to adjourn till the 10th. of *March*.

His second Command was to put no question for here was Speaker which might not speak, what did he there then? He sits there by the King in his highest and Regal Capacity, under the broad Seal to put the Question; and now if you'll take his word, he says he has a Command from the King to put no question.

The third Act was his endeavour to go out of the House, which the House conceiving him to be their Servant, would not suffer.

Here you may understand that the King had privately made Peace with *France*, though not proclaimed at *Paris* till *June* following, and soon after with *Spain*; so that in the Speech, this meeting he did not begin with, the Times are for Action, and the Eyes of all the World are upon us; and therefore demands Supplies in the first place, but that without loss of time, they would pass the Bill of
Tun-

Tunnage and Poundage ; but the House seeing the dangers of the Church and State, in not only pardoning, but preferring *Montague* and *Mathwaring*, and seizing Merchants Goods, and imprisoning their Persons, even in this Recess ; they resolve to secure their Religion, and redress Grievances, before they grant the Customs of Tunnage and Poundage ; in both they could not but take notice of the Orders of the *Star-Chamber*, Privy-Council, Judges and Customs ; and these were the Invasions upon the King's Prerogative Royal, which for the future he resolved never to suffer, yet he shall live to hear more of them.

But in regard it may seem strange, that Customs of Tunnage and Poundage, ever since the Reign of *Richard* the 3d. had been granted to the Kings and Queens of this Realm, for securing the Sovereignty of the narrow Seas, and of the *English* Merchants, yet was not granted to this King : The Reason was this, the House of Commons in their Grievances in the two first Parliaments of this King, and the former Sessions of this complained, that the Duke of *Buckingham* being Lord High Admiral of *England*, neglected to guard the Seas, to the Dishonour of the King, and endangering the Trade of *England*, and feared, if the Duke were not removed, the end designed by the Parliament would be diverted, to supply the intollerable Pride and Luxury of the Duke ; but the King rather than endure this, dissolved the two former Parliaments, and prorogued this when they were upon settling the Duties of Tunnage and Poundage.

That the Parliament had reason for this, appears in their Charge against the Duke, in the 2d. year of

his King, and that in ten years time, he had received of King *James*, and this King 284395^l. besides the Forrest of *Leyfield*, the Profits of the Third of *Stranger's* Goods, and the Profits of the Moierie of the Customs of *Ireland*, and besides the Tricks he used to get Money, as he was Lord High Admiral of *England* and *Ireland*, Master of the Horse, Lord Warden, Chancellor and Admiral of the Cinque Ports, and the Members thereof, Constable of *Dover* Castle, Justice in Eyre of all his Majesty's Forrests and Chases on this side of *Trent*, Constable of *Windfor* Castle, and Gentleman of the King's Bed-Chamber.

To these might have been added the Duke's venality, in selling all places in Church and State, at least preferring such Men in Church, as should propagate *Arminianism*, and such Judges, as shall do what the King and he bids them.

Objection.

But the Duke was now Dead in this Session of Parliament, and so the Reason Ceasing, the Duties of Customs and Poundage ought to have been granted.

Answer.

The King would not suffer the Commons to come at it, neither in the last Sessions nor this; for the Religion of the Church of *England*, and the Laws and Liberties of the Subject, being so shaken in this Recess, the Commons resolve that Religion shall have the precedency in their Debates; and make this Vow,

WE the Commons in Parliament Assembled, do Claim, Protest, and Avow for Truth, the Sense of the Articles of Religion, which were Established by Parliament, in the 13th. Year of the Reign of Queen Elizabeth, which by the Publick Acts of the Church of England, and by the General and Currant Exposition of the Writers of our Church have been delivered unto Us. And We Reject the Sense of the Jesuits and Arminians, and all others wherein they differ from Us. But the true Reason why the King would not take the duty's of Tunnage and Poundage from the Commons, was, for fear the Commons should not Grant the Duties imposed by his Father, and taken by him; which he was resolved to Continue, whether the Parliament would or not.

The House had a Petition from the *Printers and Booksellers in London*, Complaining, that *Laud Bishop of London* (who had been so but from the 15th. of July last) had Restrained Books Written against *Popery* and *Arminianism*, and the contrary Allowed of only by him, and had sent Pursuivants for many *Printers and Booksellers*, who had Printed Books against *Popery*; and that *Licensing Books*, was only Restrained to the Bishop of London and his Chaplains: This is the Patron and Saintlike Martyr of the Church of England. And all this adoe in the House of Commons, was upon Sir *John Elliot's* Speech against *Neale Bishop of Winchester* (a Zealous promoter of *Arminianism*) and *Weston, Lord Treasurer* (a *Papist*) in whose Person he said, all Evil was contracted, Acting and Building upon those Grounds, laid by his Great Master the Duke; and that his Spirit is moving to these Interruptions, and they

for fear break Parliaments, lest Parliament should break them; That he finds him the Head of all the Great Party; That *Papists, Jesuits and Priests*, derive from him their Shelter and Protection, &c. But the Speaker upon Motion of the House, refused to put the Question, being he said, otherwise Com-manded by the King: Whereupon the House Adjourn'd till *Wednesday* the 25th. and from thence to the 2d. of *March*; when the Speaker again refused to put the Question, the Success whereof was said before. What now was the Crime of the House? It was their endeavour to preserve the Religion of the Church of *England*, and the Laws and Liberties of the Subjects of *England*; and since the Speaker refusing to do his Office, they could not represent their Duty to the King, they made their Protestation in the Defence of the Church and State; and Masters oft-times upon disobedience of their Servants, do that which at other times they would not have done. The King having made Peace abroad, was resolved now to Prosecute a Vigorous War at home against the Noble Gentlemen, who in a Parliamentary way had Asserted the Established Religion and Laws of *England*. The Duke of *Buckingham*, who was Stabbed the 23d. of *August* before, you need not fear, had furnished the King with Judges, Privy-Counsellors, and *Star-Chamber-Men*, who should do the King's Work; and now let's see the Order and Method by which it was carryed on.

Upon this very day, viz. the 2d. of *March*, a Proclamation was drawn for Dissolution of the Parliament, but not Proclaimed; the King afterwards doing it himself in Person upon the 10th.

But

But next day Warrants were directed from the Privy-Council for *Denzil Hollis*, *Sir Miles Hobert*, *Sir John Elliot*, *Sir Peter Hayman*, *John Selden*, *William Coriton*, *Walter Long*, *William Stroud*, and *Benjamin Valentine* Esquires to appear before the Council, next day: *Mr. Hollis*, *Sir John Elliot*, *Mr. Valentine*, and *Mr. Coriton* appeared, and for refusing to Answer out of Parliament, for what was said or done in Parliament, were Committed close Prisoners to the *Tower*; and Warrants were given for Sealing up the Studies of *Mr. Hollis*, *Mr. Selden*, *Sir John Elliot*, *Mr. Long*, and *Mr. Stroud*, who not then appearing, a Proclamation was Issued out for Apprehending them.

The 10th. of *March* the King comes into the House of Lords, and tells the Reasons of his Dissolution of the Parliament, that it was the *Undutiful and Seditious Carriage in the Lower House*, but says not wherein; calls them *Vipers*, who must look for their Reward and Punishment, but Promises the Lords the Favour and Protection, that a good King oweth to his Loving and Faithful Nobility; and then the Lord Keeper Dissolved the Parliament.

CHAP. II.

This Reign detested to the Second Parliament, in 1640.

UPon the 25th. of *April*, the King Commands the Judges to give their Opinions concerning the Prosecuting of the Imprisoned Members, Sir *Robert Heath*, the Atturney General, proposing the Question. You need not doubt but these Judges gave such Answers as pleased the King; which you may read at large in *Rushworth* and *Franklin's* Collections, with their Censures and Commitments: And how in *Trinity-Term* following, Mr. *Selden* was brought by *Habeas Corpus* to the *King's Bench*, with the Cause of his Detainer; and also the same day Sir *Miles Hobert*, Mr. *Benjamin Valentine*, and Mr. *Hollis*, appeared by *Habeas Corpus* directed to their several Prisons, with their Council to Argue their several Cases: But when the Court were prepared to give their Opinions, the Prisoners were not brought according to the Rule of Court. Then Proclamation was made to the Keepers of the several Prisons, to bring their Prisoners, but none appeared: But the Marshal of the *King's-Bench* said, that Mr. *Stroud* was removed out of his Custody the day before to the *Tower*, by the King's own Warrant, and so it was done by the other Prisoners: But in the Evening the Judges received a Letter from the King, containing Reasons, why he would not suffer the Prisoners to appear; yet that *Selden* and *Valentine* should appear the next day; and

and about three hours after, the Judges received other Letters, that upon mature Deliberation, neither *Selden* nor *Valentine* should appear: And the same Term four Constables of *Hertfordshire*, prayed *Habeas Corpus*'s to several Pursevants, to whom they were Committed by the Lords of the Privy-Council, which were granted; but then they are Committed to other Pursevants, and so they were upon every other *Habeas Corpus*, and so the Constables could have no benefit of them. Here may you see the steddý Councils of this pious Prince, and what Fruits the Subject enjoyed by their *Petition of Right*, and the King's repeated Declarations to maintain the Laws of the Land, and Liberty of the Subject.

But if this Prince has not kept his Word for the time past, he will keep it, he says, for the time to come, in the Declaration he made for the Dissolution of this last Parliament. I do not find the Date of it, yet it begins with the usual Prologue: *However, Princes are not bound to give an Account of their Actions, but only to God.* In this, the King says nothing of the Eyes of all *Christendom* being upon him; but tells how the Aids granted this last Parliament, were for payment of his Fleet and Army; and that with part of those Monies, he began to supply his Magazines and Stores, and to put his Navy into a constant Form and Order; and that notwithstanding the Provocations of evil Men (whose Punishment he reserves to a due time) he will maintain the Established Religion, and Doctrine of the Church of England, and the Ancient and Just Rights and Liberties of the Subject: Yet as he will maintain the Subject's Rights, so he expects that they yield as much submission and duty to his Royal Prerogatives, and

as ready Obedience to his Authority and Command, as had been performed to any of his Predecessors: Then wills his Ministers not to be terrified by the harsh Proceedings strained against them; for as he will support them by his Authority and Prerogative, so he expects they should obey him, and that he will receive the Customs, and the Duty of Five in the 100; and if any factious Merchant refuse to pay, they shall be assured, he will find honourable and just means to support his Estate and Sovereignty, and preserve the Authority God had put into his hands; and for this, his Subjects ought to acknowledge their own Blessedness; and for the same, to be thankful to God, the Author of all Goodness: For this, you must take this Prince's Word for the next 12 Years: But being thus great and happy at home, let's see what is doing abroad.

The War against France was not more inconsiderately begun about two years before, than the Peace made with it was secret: The first time it was made known was, when the French King besieging *Privas*, he proclaimed the Peace with his good Brother of England: The Reformed were astonished and confounded, that the King of England, who brought them into the War, should leave them out of the Peace: Hereupon *Privas* surrenders, so does *Castres* and *Nismes*; the great *Roban* is forced to submit, and disband: The Power of the Reformed thus rooted out, and while the King of England is making War against the Members of Parliament, *Richlieu* marches with an Army into Italy, and takes *Salusses* and *Pignerol* from the Duke of Savoy.

Richlieu having thus secured the King of England, took no less care that the Empire should not put a stop to the swelling Ambition of his Master; and

for this purpose, enters into a Confederacy with the Protestant Princes of Germany, to call the King of Sweden into Germany, who next year entered into it; where, for 18 Years, the French and Protestant Princes joining the Swede, a most dreadful War was raised all over Germany, so as the French had no cause to fear any danger thence; on the contrary, they took Brisac, and other places, and had opportunity to wrest Lorain from that Duke.

But King Charles prospering, as he thought, in his Domestick War; having taken more Prisoners in it, I mean the Members of Parliament, and Conables of Hertfordshire, than his Father and he had done in all their Wars against France, Spain, and the Empire, for the recovery of the Palatinate, was very unwilling to enter into a foreign; and therefore, in a kind of petitioning way, sends Sir Henry Lane, his Ambassador to the King of Sweden, to take care of the Patrimony of his Brother; but with no better success, yet in a more rough, scornful and dishonourable manner, than his Father's Ambassadors had with the Emperour. But that he might seem to do something, the King sent Marquis Hamilton with 6000 Men, to assist the Swede; who, though every where else victorious, yet this Army under Hamilton had worse success than that under Mansfield; being starved, and mouldred away almost to nothing, and yet fought not all; and being reduced to two Regiments, the King of Sweden would not permit King Charles to name the Officers.

The ill success of Hamilton's Army, put the King out of all conceit of prosecuting any foreign War, and therefore wholly makes it his business to make himself

himself more Absolute at home: There is but one Rub in the way, *viz.* the great prop of the Church, the Archbishop of Canterbury, Abbot, Prelate of most eminent Piety and Learning, whose upright Integrity stood an unshaken Rock, against the Innovations both in Church and State, which were now so fiercely pushed on by the *Arminians*.

But in the year 1633, this reverend Prelate died and thereby left room for *Laud*, the Fire-brand of *Arminianism*, to take possession. Before we see what follows, let's look back upon what went before, *He* being of a restless aspiring Temper, in the beginning of King *James* his Reign, got to be Chaplain to *Mountjoy*, Earl of *Devonshire*; and to shew he would be great upon any Account, he marryes the Earl's daughter the Lady *Rich*, though her Husband were then alive, and had many Children by her, *viz.* *Robert*, then Earl of *Warwick*, and *Henry*, Earl of *Holland*; which Act so displeased King *James*, that the Earl fell into his displeasure; and tho' *Laud* hankered near 20 Years after the Court to get Preferment principally under the Countenance of *Neal*, Bishop of *Winchester*, yet the King would never endure to hear of it: But at last, by the importunity of *Neal* and others, *Williams*, Bishop of *Lincoln*, and Lord Keeper, was prevailed upon to intercede for him without any success; till at length the Keeper told the King, *It would be hard to serve a King, who could not forgive one Fault.* At last he got the King to prefer *Laud* to the Bishoprick of *St. Davids*: But he had not been scarce one Year in his Bishoprick, before he became *Williams* his bitter Enemy and Persecutor, as you may read in the 2d. part of the

Bishop

shop of *Lincoln's* life, and within less than three years he became Archbishop, got the Bishop of *Lincoln* Fined and Imprisoned, and his Estate to be Sequestered, by an Order of the *Star-Chamber*, and at last acknowledged he had never read the Commission by which he Acted : These things see, fol. 125. 119.

This *Phaeton* thus mounted up on high, being the Peer of *England*, was yet higher in the King's favour, than *Richlieu* was with the *French* King. As the Temper of these Princes, and their Favourites, were different, so had they different Fates: *Lewis* was steady and true to his Word, from whence he acquired the Title of *Just*; *Charles*, fickle and unstable, easily put upon things by his Favourites, and as suddenly altering them, and doing quite contrary; from whence it was, that *Lewis* supported the Cardinal in all his Shocks of adverse Fortune, and to the Indignation of his Mother; whereas *Charles*, in the Adversity of their Fortunes, gave *Laud*, and all his Favourites, as a Sacrifice to their Enemies.

As the Fates of these Favourites were different, were their Parts, *Richlieu's* is High, Generous, and the ablest Statesman of the Age: *Laud's*, Peevish and Narrow: After the marrying of the young *Rich* to the Earl of *Devonshire*, he spent his time in seeking Preferment at Court; and in setting up Factions in the University of *Oxford*, for promoting *Arminianism*.

Richlieu was a constant Assertor of the Privileges of the *Gallican* Church, and a hater of the *Jesuits* who would bring in Innovations, and exalt the Papal power above them; whereas *Laud*, not only brought

brought Innovations into the Church of *England* but was the Head of the *Arminian* Party, under whose Banners, the *Popish* party sought to undermine, and destroy the Church of *England*.

Richlieu laid the Foundation of the *French* Kings Greatness by Sea and Land ; *Laud* put King *Charles* upon such ways, as proved the ruin of the King Himself, and the Church and State of *England*.

But before we proceed herein, let us stay a little and consider the Unhappy State of the Education of the Youth of *England* in Grammar Schools and Universities.

The End designed by God and Nature, by Instruction of Youth, is, to Honour and Worship God and how to subsist and converse after they become Men ; for without the latter, it will be impossible to perform the former. I say, this latter no way conduces to the End, by breeding Youth up in Grammar-Schools, and our Universities ; for no Man lives out of Society and Commerce ; and every Man stands in need of being supplied by another, in things he stands in want of ; so that the great End by Education of Youth, is to instruct Youth how to supply another, so as to be able by another to supply himself of such things as he stands in need of : But this is utterly neglected in Grammar Schools, and our Universities, and yet double more are bred up in Grammar-Schools, and our Universities, than the Revenues of the Church can maintain ; and this breeding fits Youth for no Conversation and Business, only puffs them up with a conceit of their Learning, when they understand not that of all Mankind, they are the most Unlearn'd and unfit for any Business.

The Supernumeraries of these Unhappy Men, who can get no Maintenance in the Church, and by their breeding are of no use in Church or State; yet desire to live, but can get no living, but by nourishing Factions against those, who are preferred in the Church and State. Poor Men! they know no better, and if this be taken from them, they know not how to live: From whence it follows, that unless these Supernumeraries be restrained in their Education, which cannot be but by rooting out of Grammar Schools, and the chopping Logick in our Universities; whereby, I say, no rational Proposition, in any Art or Science, was ever inferred by Aristotle, Descartes, or any since; these Supernumeraries will as necessarily nourish Factions in England, as the Jesuits do here, and in the rest of Christendom.

Many of these Supernumeraries got their Maintenance by being Lecturers and Chaplains to Noble Men, and Gentlemen; but in both, they regarded more the Humour of People where they were Lecturers, and Disposition of their Patrons and Patronesses where they were Chaplains, than the Liberty of this Church.

The Diocess of London was too Contracted to restrain the boundless Ambition of this Bishop; for the last Parliament was no sooner Dissolved, but Laud presented the King with Considerations, for the better settling Church-Government in both Provinces, of York as well as Canterbury.

The 4th. of these was, That a special Charge be given against frequent and unworthy Ordinations; but *Latet Anguis in Herba*: None shall be worthy but Arminians.

The 5th, was that special care be had of Lecturers in every Diocese, which by reason Pay, are the Peoples Creatures, and blow the Bellows of their Sedition; But if the Bishop will not let them do this, they know no other way to live and willingly would not starve.

For abating the Peoples Power, the 2d. Consideration is, That every Bishop in his Diocese Ordain, That every Lecturer do Read in his Surplice *Divine Service*, before his Lecture; which if he does, 'tis twenty to one, those that pay the Lecturer will pay no more: What then becomes of the Lecturer? for there's no other Provision made for him.

The 4th. is, That if a Corporation maintain a Lecturer, that he be not permitted to Preach, that he take care of Souls within the Corporation. *How this can be, I don't understand, unless the Lecturer have a concurring or distinct Power from the Incumbent.*

The 5th. is, That none but Noble Men, and Men Qualified by Law, may keep Chaplains. Yet *your Religious care, you take no care how other ways they may subsist.*

The 8th. is, That Emanuel and Sidney Colleges in Cambridge, which are the Nurseries of Puritanism, may be from time to time furnished with Gray and Orthodox Men for their Governors, viz. *Such as shall do the Arminian Work, without any regard to the Statutes of the College.*

All these Considerations must be taken for Advice of the Church of England, and a neglect, or breach of them, sufficient for an Information in the High Commission, where he is assured he shall shortly Judge and therefore his Majesty in the 9th. Consideration

ion, is to countenance the *High Commission* by the presence of some of the Privy-Council, at least so often as any Cause of Moment is to be settled.

The 10th. Consideration is, That course be taken, that the Judges may not send so many Prohibitions; *which if they do from any of his Censures in the High Commission, he will proceed against them by Excommunication.*

Thus you see this Icarus is not only content to take a flight out of his Diocese, but over the whole Provinces of York and Canterbury in Ecclesiastical Affairs, and extends it as he pleases over the Civil.

These were the Seeds which this Bishop, planted, while he was Bishop of London; you may be sure he'll reap a good Crop now he's become Metropolitan of all England. During the time of his being Bishop of London, he was looked upon as the Rising Sun, which the flattering Students in both Universities Worshipped; but after he became Arch-Bishop, the Learning of both Universities were Brawls about *Arminian* Tenents in the Schools and Sermons, the *Arminians* treating their Opponents with all Taunting and Reproaching terms; and if their Opponents retorted, they were had up into the High Commission, where the Arch-Bishop presided, assisted by his Ecclesiastical Judges, and Ministers of the Prerogative Court, and some of his Majesty's Privy-Council; but I do not read of one cited for maintaining *Arminian* Tenents. 'Tis scarce credible how the business of this Court, the Star-Chamber, and Council-Table swelled, and what cruel, and unheard of Censures were made, especially in the Star-Chamber, against all sorts of people, who did offend either against the King's
Prero-

Prerogative Royal, or the Arch-Bishops Injunctions, which must be obeyed as Articles of the Church of *England*: The Thunder of them was not restrain'd within the bounds of *England*, but terrified almost all *Scotland*, who were bitter Enemies of *Arminianism*.

The Bounds of *England* were too narrow to restrain this Man's Ambition; and therefore before he had been two Months Arch-Bishop, viz. the 8th. of *October* 1633. he advised the King to make a Reformation in the Church of *Scotland*, not by Consent in Parliament, but by his Prerogative Royal, the beginning of this Reformation must begin at the King's Chappel Royal, where the *English* Service, the Surplice, and Receiving the Sacrament, is enjoyned, and that the Lords of the Privy Council, the Lords of the Sessions, and the Advocate, Clerks, Writers to the Privy Signet and Members of the College of Justice, be Comanded to receive the Sacrament once every Year in the said Chappel, and the Dean to report to the King, who does, or does not obey; and the Arch-Bishop had a Warrant from the King, to hold Correspondence with the Bishop of *Dunblane*, and to Communicate to him his Majesties farther pleasure herein. And so we leave the Affairs of the Church here for a while and see how Affairs stood in State, since the Dissolution of the last Parliament.

In the last Parliament among many famous Members, Sir *Thomas Wentworth* and Mr. *Noy* excelled. Sir *Thomas* for his admired parts, and natural and easie Elocution; *Noy*, as a most profound Lawyer both zealous Patriots for the Rights and Liberties of the Subject. And upon the 12th. of *February*

1648. when the Debates for Granting Tunnage and Poundage to the King, was in the House of Commons, Mr. Noy argued, *We cannot safely give, unless we be in possession, and the Proceedings in the Exchequer be nullified, as also the Information in the Star-Chamber, and the Annexion to the Petition of Right; for it will not be a Gift, but a Confirmation; neither will I give without the Removal of these Interruptions, and a Declaration in the Bill, that the King has no Right, but by our free Gift; if it will not be accepted, as it is fit for us to give, we cannot help it; if it be the King's already, we do not give it: So that these two must be reckoned among those Vipers, which the King declared at the Dissolution of the Parliament, and must look for their Reward of Punishment.*

The Reward of Punishment, which these two Vipers had was, that Sir Thomas Wentworth was made Lord President of the North, and Mr. Noy, Attorney General; Sir Thomas strained the Jurisdiction so high, that it proved the ruin of the Court, and the rise of the Fame of Mr. Edward Hyde (after Chancellor of England) for the Speech he made in 1641. against the Abuses committed in it, whilst Sir Thomas was President; and Noy, now he's become Attorney, is become the most Intimate Confident of the Arch-Bishop, and as forward in Informations in the Star-Chamber, High Commission, and Council-Table, as Sir Robert Heath was, who is made Chief Justice in the Common-Pleas, to make room for Noy to be Attorney General.

But Noy must not stay here, how zealous soever he was against Granting the King Tunnage and Poundage, he must now find way how the King may raise Ship-Money, besides Tunnage and Pound-

age, not granted by Parliament, nor Ship-Money neither: The Ground-work was that the Kingdom was in great danger by Pyrats, and the King sole Judge of the danger: He had finished the work, but lived not to see it put in Execution, for he died the 9th. of *August*, 1634. to the great regret of the Arch-bishop.

In *September* following, Sir *Edward Coke* died; but upon his Death-Bed, Sir *Francis Windebank*, *Laud's* old Friend, by an Order of Council came to search for Seditious and Dangerous Papers; by virtue whereof, he took Sir *Edward Coke's* Comment upon *Littleton*, and the History of his Life before it, written with his own Hand; his Comment upon *Magna Charta*, &c. the Pleas of the Crown, and Jurisdiction of Courts, and his 11th. and 12th. Reports in Manuscript, and I think 51 other Manuscripts, with the Last Will of Sir *Edward*, wherein he had for several Years been making Provisions for his Younger Grand-Children; the Books and Papers were kept till 7 years after, when one of Sir *Edward's* Sons in 1641. moved the House of Commons, that the Books and Papers taken by Sir *Francis Windebank*, might be delivered to Sir *Robert Coke*, Heir of Sir *Edward*, which the King was pleased to grant, and such as could be found were delivered; but Sir *Edward's* Will was never heard more of this day.

I do not find, that the Arch-Bishop was the first mover of this; nor do I find the like was ever done before the Arch-Bishop was Premier Minister of State; yet this I find, that *Windebank* was found to be one of the Fomenters for carrying on the Popish Design, with *Con* Cardinal *Richlieu's* Chaplain, in the Year 1640.

But

But Sir *Edward* is removed by Death in *September*, and Sir *Robert Heath* in *October* is removed from being Cheif Justice of the Common-Pleas, to make room for Sir *John Finch*, as *Heath* before had been made Cheif Justice to make room for *Noy* to be Attorney General: You need not fear but that Sir *John Finch* (now a Favourite of the King and Queen and Arch-Bishop) who could put no Question when he was Speaker, shall without Question judge Ship-money to be lawful, what ever *Magna Charta*, or *Petition of Right* says to the contrary: Nor shall he stay here, but be the Prime Agent in breaking through the Bounds of *Charta de Foresta*, by Enlarging the Limits of the Forests; so as no Man, if the Parliament in 1641 had not prevented it, could tell where it would have stopped. But this was not all the Reason why *Heath* was turned out, and *Finch* put in, it was *Kilvert's* pleasure, one of *Laud's* Instruments, to ruine his Patron the Bishop of *Lincoln*; as you may see in the 2d. part of his life, fol. 118. tit. 113. and it exceeds all belief, by what execrable means *Laud*, by *Finch*, *Kilvert* and *Windebank*, conspired the ruin of the Bishop of *Lincoln*, if so grave an Author as the Bishop of *Litchfield* had not reported it, in the Bishop of *Lincoln's* life. See the second part, fol. 138.

The Writs for Ship-money are now Issued out, the Proceedings against the Officers, for not Collecting the Assessments, as Constables, Bayliffs, and other Officers was to bind them over to answer at the Council-Board, and Commitment, if any refused to give Bond; but if Sheriffs neglect to collect all such Assessments in their Year, they shall stand

charged with the Arrears. Thus things at present stood, but the breaking the Bounds of the Forests, was but in Embrio, yet in a hopeful production.

Thus things stood in state about the end of the Year 1634. In the Church the Arch-Bishop had the sole Supremacy, not only in *England*, but in *Scotland*, having got a Warrant from the King to hold Correspondency with the Bishops; and also in *Ireland*, being chosen Chancellor of the University of *Dublin*, and having got Sir *Thomas Wentworth* to be Lieutenant of *Ireland*, who was now as much his intimate Confident as *Noy* was before.

In *England*, The Arch-Bishops Injunctions for wearing the Surplice, Receiving the Sacrament Kneeling, and placing the Communion-Table Altar-waies, and Railing it about, &c. were vehemently Prosecuted with the Opprobrious Names of *Puritan* and *Schismatick*, fixed upon *Nonconformists*; with Deprivations and Censures upon Lecturers and Chaplains, who refused to come up to them; if they did they must forsake their Patrons, Patronesses and Flocks, who provided them Bread; so that they contended *Pro Aris & Focis*; and other-ways no Provision was made for them. On the contrary, they retorted on the Bishops, and promoted Clergy, with bitter Terms of Popishly affected, and Rags of *Superstition* and *Idolatry*; so that the Contentions all over the Kingdom, were as fierce as in the Universities.

But it had been happy for this Nation, if the Effects of these Contentions had been terminated in the Bounds of it: For the Arch-bishop in his Metropolitan Visitation this year 1634. summoned the Ministers of the *Dutch* and *French* Churches, to
appear

appear before his Vicar General, where all the Natives, viz. Born in *England*, were Injoynd to repair to their several Parish Churches, to hear Divine Service and Sermons, and perform all Duties and Payments required in that behalf.

The Descendants of those *Walloons* Persecuted by *Alva*, and the *French* by *Henry the II. of France*, had for near 90 Years been allowed their several Congregations, by *Queen Elizabeth*, *King James I.* and had the Royal Word of *King Charles*, for enjoying of them: But now at once they must be turned out of them.

When these Injunctions were to be put in Execution at *Norwich*, the *Dutch* and *French* Congregations Petitioned *Dr. Matthew Wren*, that these Injunctions might not be imposed upon them; but finding no Relief, Appealed to the Arch-bishop, who returned a sharp answer, that unless they would submit, he would proceed against them according to the Laws and Canons Ecclesiastical.

Here take Notice, that as the *Spanish Trade* was the most Enriching Trade to this Nation; so the Trade to *Hamburg*, and the Countries and Kingdoms within the *Sound* with our *Woollen Manufactures*, was the best the *English* had for employment of People, Shipping and Navigation: The Company which Traded into the *Sound*, was called the *East-Country Company*, and *Queen Elizabeth*, and after her *King James*, to Honour them, called it the *Royal Company*.

This Trade the *English* enjoyed time out of Mind; and the Cloths which supplied it, were principally made in *Suffolk* and *Yorkshire*. And

Ipswich as it was the finest Town in *England*, and had the Noblest Harbour on the *East*, and most convenient for the Trade of the *Northern* and *Eastern* Parts of the World, so till this time it was in as Flourishing State as any other in *England*.

The Bishop of *Norwich* straining these Injunctions to the utmost, frightened Thousands of Families out of *Norfolk* and *Suffolk* into *New-England*; and about 140. Families of the Workers of those *Woollen* Manufactures, wherewith *Hamburg* and the Countries within the *Sound*, were supplied, went into *Holland*; where the *Dutch*, as wise as *Queen Elizabeth* was in Entertaining the *Walloons*, persecuted by the Duke of *Alva*, Established these *English* Excise-free, and House-Rent free for Seven Years; and from these the *Dutch* became Instructed in Working these Manufactures, which before they knew not: The consequence whereof shall be shewn hereafter.

But the care of the Arch-Bishop, for Reformation of the Church of *Scotland*, was not less than for that of *England*; and to that end got the King to Sign a Common-Prayer Book for the use of the Church of *Scotland*; and gave order to the Bishops there, to Compile certain Canons for the Government of the Church, and there to be imposed by Regal and Episcopal Authority; and to this end, *Land* held Correspondence with the Arch-Bishop of *Saint Andrews*, and other Bishops of *Scotland*.

Whilst these things were brewing in *England* and *Scotland*, you need not fear *Ireland*, now *Sir Thomas Wentworth* was Lieutenant there, A most Dreadful War overspread *Germany*; and *Philip* the 4th. a Weak,

Weak, Lascivious Prince, Reigned in Spain, so as Richlieu had a fair Opportunity to subdue Monsieur the King's Brother, and overthrow the Forces raised by the Duke of Momerancy, to assist Monsieur; wherein the Duke was unhappily taken Prisoner, and had his Head cut off, being a Young Prince of greatest hope, the most ancient of the French Nobility, and the last of his Line.

But the Cardinal did not rest here, but built more and better Men of War, than had been before in *France*, and *Spain* shall first find the force of them, in return of their kindness in joining their Fleet with the *French*, in relieving *St. Martins* in the Isle of *Rhce*, besieged by the *English*: And this year 1634. *Richlieu* trickt *Charles*, Duke of *Lorrain*, out of his Dutchy; and the next, the King of *France* proclaims open War against *Spain* by Sea and Land; and in 1638. (ten Years after the *Spaniards* joining with the *French* against the *English*) the *French* besieged *Fontaraby* by Land, which the *Spaniards* intending to relieve by Sea, the *Spanish* Fleet is encountred by the *French*, and beaten; the *French* took Eleven great Ships, whereof six of them were richly laden for the *Indies*, and burnt two Gallioons upon the Stocks, and six others entirely finished: In the Ships taken, besides their Equipage, and other Ammunition of War, the *French* took an incredible number of Cannons, 100 whereof were Brass, with the Arms of the House of *Austria* upon them. Afterward, the *French* and *Spanish* Fleet fight in the *Mediterranean* Sea, where the *Spaniard* is again beaten by the *French*; and by Land, the *French* take from the *Spaniard*, *Landrecy*, *Beaumont*, and *de la Valette* in the *Spanish* Netherlands; *Perpignian*, (the

Key of *Spain*, on the foot of the *Pyrenean-Hills*) in the County of *Rosillon* ; and *Barcelona*, a good Port, and the capital City of *Catalonia*.

In *England*, this year 1635. there was great contrivance between the Archbishop *Laud*, and Bishops of *Scotland*, how to erect an *High Commission Court* in *Scotland* by the King's Authority, without consent in Parliament, for proceeding against such as would not submit to the *Common-Prayer Book*, and *Cannons* enjoined by the King, and Bishops of *Scotland* ; and upon the 28th. of *February*, the Archbishop consecrated Dr. *Manwaring*, Bishop of *St. David*, a worthy Successor, to so Saint-like and pious a Predecessor ; for this Bishoprick was *Laud's* first preferment.

You have seen his Grace of *Canterbury's* Temper towards the King's Subjects ; now see how it was towards the King. His Grace being as high as *England* could admit, viz. Metropolitan, and first Peer thereof, would visit both Universities by his Metropolitan Right, and not by Commission from the King, and signified so much to both ; to which both Answered, *That to admit it without a Warrant from the King, was a Wrong to the Universities* ; his Grace was Chancellor of *Oxford*, and the Earl of *Holland* of *Cambridge* : The Cause came to an hearing before the King and Council, the 21st. of *June*, 1634, where the Attorney General *Banks* was for his Grace against the King, Mr. *Gardener*, the Recorder of *London*, for *Cambridge*, and Sarjeant *Tbyn* for *Oxford* : The Cause was shortly this.

Both sides agreed in this, that both Universities were of the King's Foundation, and so might be visited, as they had often been, by Commission from

from the King: But this would not do with his Grace, he would, to use his own Words, *Visit by his own Right*.

Sarjeant *Thyn* urged against this, the King's Foundation of the University of *Oxford*, and that never any Archbishop so visited: But the Recorder could not say so of *Cambridge*; which happened upon this occasion. In the Reign of *Richard* the 2d. *Wickliff's* Doctrin prevailed much in both Universities; and *Arundel*, then Archbishop of *Canterbury*, (as zealous to suppress the *Wickliffites*, as *Laud* was the *Puritans*,) to suppress them did Visit *Jure Metropolitano*; but *Oxford* opposed him *forti Manu*: Upon this *Arundel* Appeals to the King, who being a weak Prince, and as zealous for the then Church, as King *Charles* was for *Laud's*, declares the Right to be in the Bishop; so did *Henry* the 4th. the Current running against *Wickliff*, which was after confirm'd in Parliament; but *Cambridge* was not in it: Yet never before did any Archbishop visit *Oxford*, nor *Cambridge*, since the Year 1404. *Jure Metropolitano*, as his Grace would do.

Plum'd thus in his own Feathers, all black and white, without one borrowed from *Cæsar*, whereby the more he assumes to himself, the less he leaves the King, he now soars higher; the Bishops of the Province of *Canterbury*, in their own Names, enjoin the removal of the Communion Table in the Parish Churches and Universities, from the Body of the Church or Chancel, to the East of the Chancel, and cause Rails to be set about the Table, and refuse to Administer the Sacrament to such, as shall not come up to the Rails, and Receive it kneeling; that the Book of Sports on *Sundays* be read in Churches; and enjoin Adoration.

I do not find that Adoration was ever enjoined before, nor any of the fore-named Injunctions in any Canon of the Church ; sure I am, they were never publickly put in Execution ; so that whether these were any of the Canons of the Church or not was not understood by one of 10000. and the Lecturers, Chaplains and School-masters, who had no Maintenance from the Church, being principally struck at by these Injunctions, make all the sinister and worst constructions they could invent against them ; so that though those Injunctions had been Founded in the Canons of the Church, yet the contrary was believed, and so had the same effect as if they had not been Founded in the Church-Canons.

Here I cannot omit one passage ; That several were deprived by the Bishop's Authority, for refusing to read the Book of Sports on *Sunday* : Whereas King *James* the 2d. allowed the seven Bishops a legal Trial, for refusing to enjoin the Clergy to Read his Declaration for *Liberty of Conscience*, and the Bishops were acquitted.

That the Legality of these proceedings might be manifest, a Proclamation was issued out, that it was the Opinion of the Judges, that the Act of the 1 *Edw.* 6. 2. which Ordains that Bishops should hold their Ecclesiastical Courts in the King's Name or by Commission from him, was Repealed by the 1st. of Queen *Mary* ; tho' this Act was Repealed by the 1 *Jac.* 25. and so the Act 1 *Edw.* 6. 2. was Revived, and so resolved upon a full debate in Parliament 7 *Jacobi*.

The Thunder of those Canons ; the terrible and unheard of Execution of them in the *Star-Chamber*,
against

ainst all Opposers, by Speech or Writing, so terrified the *Puritans* which would not submit, that incredible Numbers of them left the Kingdom, to inhabit in foreign *Plantations*, especially in *New England*, where these Ecclesiastical Canons could well play upon them: But to restrain the further Evasion of them, the King by Proclamation, the 30th. of *April*, 1638. stops all the Ports of *England*, to keep them in it: The Reason was, no doubt, that they might be better instructed in the Doctrine and Discipline of the Church of *England* here, than elsewhere.

The Church of *England* thus Established in Doctrine and Discipline; the Archbishop's next care was, to have the same in *Scotland*; and herein he was so Absolute, that the King told the Marquis *Hamilton*, when he was his Commissioner in *Scotland*, that the Archbishop was the only *English-man* entrusted, in the Ecclesiastical Affairs in *Scotland*; and no care need be had of the Church of *Ireland*, since my Lord Viscount *Wentworth* was Lieutenant there, who, to all intents, pursued the Archbishop's instructions. But let's see how the Church stood in *Scotland*, before the Archbishop undertook to reform it.

James the 5th. of *Scotland*, died the 13th. of *December*, 1542. leaving onely one Daughter, *Mary*, but 5 days Old, by *Mary* of *Lorrain* his Wife, Sister to *Francis*, Duke of *Guise*, and *Charles*, Cardinal of *Lorraine*, two the most powerful Princes in *France*, after King *Henry* the 2d. and the most zealously addicted to the *popish Religion*.

After the King's death, Cardinal *Beauton* got a Priest (*Henry Balfour*) to forge the King's Will, whereby

whereby the Cardinal, the Earls of *Huntley*, *Argyll* and *Murray* were to have the Government during the Queen's Minority ; but the Nobility not believing it, chose the Earl of *Arran* Governor ; and *Henry*, the King of *England*, desiring to Unite the Kingdoms, by Marrying his Son *Edward* with the Infant-Queen, sent a solemn Embassy to the Governor and Council of *Scotland*, to consent to this Marriage, which was done, only the Queen Dowager and the Cardinal dissenting ; and this was confirmed by the Parliament convened at *Edenburg* the 13th of *March* following : Yet the Queen Mother and Cardinal, got the Queen to be Married to *Francis* the Dauphin, Son of *Henry* the 2d. of *France*.

In this Parliament, the *Scots* were permitted to Read the Scripture in the *English* Tongue, till the Prelates should publish one more Correct. But in the Year 1559, the *Scots* began their Reformation in Religion at *Perth* : The intervening Accidents of the *Scots* endeavours to Reform, and the Opposition by the Regent, the Cardinal, and the Prelates ; you may Read in Bishop *Spotiswood's* History of the Church of *Scotland*, and Sir *James Melvil's* Memoirs.

To suppress the Progress of this Reformation, the Queen Mother, who was Regent, calls in an Army and Navy of *French*, to Oppose them : The Reformers call in an Army and Navy of *English* ; the *English* Fleet fire the *French* in their Harbour, and compel the *French* to leave *Scotland* ; and in *June* 1560 the Queen Regent died, leaving *Scotland* in a kind of *Interregnum*.

In *August* following, a Parliament Convened at *Edenburg*, by a Warrant from the King and Queen
wherein

wherein the *Mass* and *Popery* were suppressed, and the Reformation of the Kirk of *Scotland* in Doctrine and Discipline Established; but the King and Queen, of *France* as well as *Scotland*, refused to conform either; nor was this Kirk Doctrine and Discipline confirmed, till the Queen was Deposed, and *Murray* made Regent in 1567.

The Reformation was purely after the Mode of *Calvin*, and Church of *Geneva*; a *Common Prayer* was Ordained, not strictly to be Observed, but as a pattern of Prayer: In it were Ordained four sorts of Assemblies, *viz.* National, Provincial, Weekly Meetings of Ministers, and the Eldership of every *Parish*.

Superintendents were likewise Established, whose Office was to Visit the Kirk, within Limited places: These had power to Cite and Deprive Ministers, but must be Assisted by some grave Ministers, next adjoining, as also to Ordain Ministers.

But the Hierarchy of the Church of *Scotland*, as they were esteemed one of the States in Parliament, was not then, nor after taken away; nor their Power of Ordination, and Visiting within their Dioceses; yet in Visitation and Ordination, the Superintendents had concurring Power with the Bishops, and the Bishops were subject to be Cited, and proceeded against for Scandal, neglect of their Office, Immunity, &c. by the General Assemblies.

This Reformation, *viz.* 1581. was subscribed by King *James*, and all the Household; and afterward King *Charles* in 1633, being Crowned at *Edinburg*, where the Form Ordained by the King was observed, the King swore to observe the Reformation as it

it then stood : But some Alterations were made King *James*, in 1610, and by the five Articles *Perth*, in Favour of the Bishops, and more conformable to the Church of *England*.

King *James*, who loved the *Presbyterians* in *Scotland* no better than the *Puritans* in *England*, At 1610, called a General Assembly at *Glasco*, where these Conclusions were Enacted.

1. That the Indictions of General Assemblies, belong the King by the Prerogative of his Crown.

2. That Synods be kept twice in the year, to be moderated by the Archbishop and Bishop of the Diocess.

3. That no Excommunication or Absolution be pronounced without the Knowledge and Approbation of the Bishop of the Diocess.

4. That the Presentation of Benefices for the time come by Death or Lapses, be directed to the Archbishops, Bishops of the Diocess.

5. That in Deposition of the Ministers, the Bishop Associate himself with some of the Ministers within the Diocess.

6. That every Minister at his Admission, do swear obedience to his Majesty, and his Ordinary.

7. That the Visitation of the Diocess be made by the Bishop himself; but if the Diocess be too great, by such worthy Minister of the Diocess, as the Bishop shall appoint.

8. That no Convention of Ministers be moderated by the Bishop, or a Minister, named by him : No Minister to speak against any of these Conclusions.

This year also the King *James* not well pleased with *Presbyterian* Ordination, caused the Archbishop of *Glasgow*, the Bishops of *Briehen* and *Galloway*, to be reordained in *England*, by the Bishop

of London, Ely and Bath: And also erected an High Commission in Scotland, for ordering Ecclesiastical Affairs, which you may read in *Spotswood's History of the Church*; and all these were Ratified by the Parliament holden at *Edenburgh*, 1612.

But King *James* did not stay here, but propounded to have these Five Articles to be Passed the General Assembly in Scotland.

1. That the Sacrament be Received Kneeling.
 2. That the Sacrament be not denied Dying Persons desiring the same.
 3. That Baptism be not deferred longer then till next Sunday after Birth, unless reasonable Cause to the Contrary.
 4. That Apposite Sermons be made upon the days of Christs Birth, Passion, Resurrection, Ascension and Sending the Holy Ghost.
 5. That the Minister in every Parish, Catechise Children, so as to be Qualified to be Confirmed by the Bishop in his Visitation.
- These Five Articles with some Difficulties, Passed the General Assembly at *Perth*, 1618, which were Agreed to, by a Parliament Convened at *Edenburgh*, 1621.

Thus the Church stood in Scotland, when the Arch-Bishop *Laud*, would make it Conformable in all Points to that he was now Establishing in England: The first Step he moved herein, was by preferring the Bishops in Scotland, in almost all Preferments before the Nobility, so that of Thirteen, Nine were Privy Councillours and *Spotswood*, Arch-Bishop of *St. Andrews*, was Chancellour; and others were of the Exchequer; and *Maxwell*, Bishop of *Ross*, contended with the Earl of *Tarquair*, to be Lord Treasurer: and were Sticklers to have
Tithes

Tithes and Impropriations, and the Abbots Lands to be restored to the Church ; and the Weekly Meeting of the Ministers are termed Conventicles by the Bishops. Tho' the Doctrine of the Church of *Scotland* were *Calvinism*, yet all Countenance and Incouragement by the Bishops, were given to the Professors of the *Arminian* Tenets: So that the Brawls and Contentions about them, were as high in the University of *St. Andrew's*, as in *Cambridge* and *Oxford*.

There had not been one General Assembly since that of *Pertb*, 1618, when in 1637, the Common-Prayer, Cannons and High Commission, were Imposed by the King's and Bishops Authority ; and besides the High Commission, the Bishops had Warrants from the King, to grant Commillions in their severall Diocesses, to name Assessors, Ministers and Gentlemen, which might punish Offenders. And tho' the Common-Prayer *Mutatis Mutandis*, was the same with the *English*, yet in the Administration of the Sacrament, the Form was the same in the Mass, without the Exhortations in the *English* Common-Prayer.

The first Tryal how passable they would be, was upon *Easter Day* ; the Service was read at *Edenburg*, when no Tumult followed: But when it was next read, the 23d. of *July* following, all the City was in an Uproar, and the next day the Lords of the Council Issued out a Proclamation to discharge the Tumults of the People upon pain of Death ; yet divers Ministers at *Edenburg*, opposed the reading of the Common-Prayer, and Petitioned the Council against it.

Harvest coming on, all things seemed quiet, but at the end of it, *Edenburg* swelled with all sorts of People; the Council fearing whereto this Concourse would tend, by Three Proclamations, commanded all sorts of People, (not Inhabitants, or not having Business,) to depart upon Penalty of Horning and Rebellion: Instead of Obedience, the Women and Children Petition the Council against the Common-Prayer-Book; and soon after, the Noblemen, Barons, Ministers, Burgesses and Commons, which were sent to the King; who commanded the Privy Council to Signify his Majesties Averfness to Popery and Superstition. In this Confusion the Earl of *Traquair*, Treasurer, and *Roxborough*, Privy Seal, go to the King for Instructions how to proceed; their Instructions were to remove the Session or Term, to *Sterling*; and by Proclamation, to forbid all Persons coming to *Sterling*, unless they declare the Cause to the Council, and procure a Warrant for the same, upon Penalty of High Treason.

This Proclamation was encountred by a Protestation of Noblemen, Barons, Ministers and Burgers at *Edenburg*, against the *Roman* Idolatry and Superstition; the Common-Prayer-Book, Cannons and High Commission: And they enter into a Solemn Covenant, to maintain the Confession of Faith, Subscribed by the King's Father and his Household, 1580; and after, by all ranks of People, 1581; to which they Swear a Mutual Defence of one another; against all Opposers; and to this purpose, they Erected Tables or Persons, to take Subscriptions of all sorts of People,

Traquair could not stem the Tide, and so acquainted the King herewith, who sends the Marquiss *Hamilton* his Commissioner, with Instructions, one way or other to compose these Disorders. When he came into *Scotland* he first demanded of the Covenanters, what they demanded of the King for Accomodating their Grievances. Secondly, What might be expected from them for returning to their former Obedience, especially renouncing their Covenant: But nothing would content them but a General Assembly and Free Parliament; they forbid him the use of the Common-Prayer in the King's Chappel; and Admonish him and the Council, to Subscribe their Covenant. These Proceedings running so high, the Marquiss durst not pursue his Instructions, being sure they would be Affronted.

The Marquiss gives the King an Account of these things, and desires further Instructions; *which were to gain time till the King could get a Fleet and Army in readines, to compell the Covenanters to Obedience; but not to consent to the calling of a Parliament or General Assembly, till the Covenant be given up; that now his Crown and Reputation, for ever lyes at Stake; that he had rather suffer the first, which time would help, than the last which is irreparable; that the Explanation of the Damnable Covenant, makes him to have no more Power than a Duke of Venice, which he will rather Dye than submit to:* Yet without Dying he did submit to the Revocation of the Service-Book, Canons, High Communion and the Articles of *Pertb*; for-lakes the Bishops, and by a Proclamation *Sept. 22. 1638*, commands the Covenant to be Subscribed by the Privy Council and all his *Scottish* Subjects; but

but this would not content the Covenanters, because it came not from a General Assembly, and because the Band of Mutual Defence, was not in the Proclamation.

Having gone thus far, there was no going back, and the King's Army and Navy was not yet ready; the King therefore Indicts a General Assembly to be held the 21st. of *November*, 1638, at *Glasgow*, and a Parliament to meet at *Edenburgh* the 15th. of *May* following.

The General Assembly met accordingly, but the Marquiss and the Assembly were at Variance about the Elections and Votes of the Lay-Elders, and the Bishops sitting in the Assembly, and the Votes of the King's Assessors in it: But what the Marquiss would have, the Covenanters would not, whereupon the Marquiss on the 28th. Dissolves the Assembly, upon Penalty of High Treason.

The Covenanters and General Assembly protest against this Dissolution, and sit notwithstanding; yet profess all Duty and Obedience to the King, in its due Line and Course, which in plain *English* is, *They'l do what they will; and if the King will do what they would have him, they will be Obedient Subjects*. And in this Session, they Depose and Excommunicate all the Bishops of *Scotland*. To this State within less than two years, has his Grace of *Canterbury* brought the Church of *Scotland*; and a terrible Cloud hangs over that of *England*, whereby his Grace will have the Glory of becoming a *Martyr* in it.

Weston Earl of *Portland*, dyed in the year 1634, and Dr. *Fukton*, Bishop of *London*, was made Lord Treasurer, by whose Prudent Management, its

said, that in less than five years, he had Lodged, 900000 in the Exchequer; and now the King had raised an Army of about 20000 Horse and Foot, made the Earl of *Arundel* General, Lord Viscount *Wentworth* Lieutenant General, and Earl of *Holland* General of the Horse: And had fitted up a Navy, with 5000 Land-men commanded by Marquis *Hamilton*, to compell the *Scots* to their Obedience; and marches at the Head of this Army himself.

It was time, for the *Scots* were up in Arms too, had seized the *Regalia* at *Dalkeith*, and brought them to *Edenburg*, taken *Dumbarten*, and routed the *Scots* who took the King's part at *Aberdeen*; which they likewise took.

This King's good Nature never more appeared than in his Necessities; so that when he came to *York*, by Proclamation he recalled 31 Monopolies and Patents formerly granted by him; he not before understanding how grievous they were to his Subjects.

The *Scots*, that the *English* might have no Jealousie of an Invasion, had resolved not to come within ten Miles of the Borders with their Army: When the King came to *Berwick*, the Earl of *Holland* made two vain and inconsiderate Incursions into *Scotland*, and upon the Approach of the *Scots* retreated; and these were the only Actions of this War by the *English*.

Upon the Retreat of the Earl, the *English* Army was contemned by the *Scots*, who advanced to the Borders, and pitched their Tents in sight of the *English*, before any notice was given of their Motion, This raised a Murmur all over the *English* Army,

Army, where Provisions were not only scant, but their Bread and Biscake Mouldy; nor was there any prospect of a further Supply.

However the *Scots* propose a Treaty of Accommodation, which the King's Necessities compell'd him to submit to; which being made, (the Terms you may read in *Rushworth's* and *Franklyn's* Collections) the King disbands his Army and withdraws his Navy; this was all the *Scots* cared for; for the Treaty being upon equivocal Terms, the *Scots* were resolved to make their own Interpretation, and stand by it; and to that purpose, hold Correspondence with the *French* King, and stile him *Au Roy*; and also with the discontented in *England*: And buy Arms and Ammunition at *Bremen* and *Hamburg*.

To foment these Jealousies, and propagate the popish Interest, Cardinal *Richlien* employs one *Chamboy*, or *Chamberlain* in *Scotland*; and *Con*, or *Cunecus*, his own Chaplain in *England*, whose chief Confidants were the Earl of *Arundel*, General of the King's Army, and his Countess; Sir *Francis Windebank*, principal Secretary of State, Sir *Toby Mathews*, *Endimion Porter*, *English*, and one *Read* and *Maxwell*, *Scots*. See this at large in *Rushworth's* Collections, fol. 1318, 1319, 1320, 1321, to 1326.

This year my Lord Keeper *Coventry* died, and Sir *John Finch*, Chief Justice of the *Common Pleas*, was made Lord Keeper of the Great Seal, no doubt for promoting the Legality of *Ship-Money*, and enlarging the Bounds of the Forests.

The Cloud rising so thick in the North, presaged a Storm, which to dissipate, the King summons a Parliament to meet the 23d. of *April*, 1640. The

Archbishop, and the Earl of *Strafford* giving out, according to the Advice which Sir *Robert Cotton* gave the Duke of *Buckingham*, that they were the first Movers of it.

At the opening of this Parliament, the King lays before them his Necessities for Money in the first place, as he had done in all the three Parliaments before, and that Delay was all one with a Denial, and communicates to them the *Covenanters* Letter to the *French King*, imploring his Assistance: But the House of Commons having found the Effects of giving Money before Grievances were redrest, both in the 18th. of his Father's Reign, and in the first of his, began at Grievances, now multiplied by the Additions of *Ship-Money*, Breaking the Bounds of the Forests, Monopolies multiplied without end, The Arbitrary Power of the *Star-Chamber*, and *High Commission* against those who opposed the proceeding of the Innovations brought into the Church; and the Imprisonment, and unheard-of Censures of their Members for their Proceedings in the House last Parliament; so that instead of enjoying any Benefit by the *Petition of Right*, the Church and State was in a manifold worse state than before; they had now found by Experience, that no Laws or Judgments in Parliament could bind the King's Prerogative, but that he would act quite contrary, as in the Cases of *Mountague* and *Mamwaring*, &c. and how could the Parliament rely upon his *Royal Word*, (which he would upon all Occasions give) when they found no Assurance in any Law, nor so many Declarations of his observing them?

However the Commons upon the 2d. of *May*, resolved to take care of Supplying the King upon the 4th.

4th. when Sir *Henry Vane* told them, That the King of his Grace and Favour upon their Granting 12 Subsidies to be paid in three years, would forbear levying *Ship-Money*, and abolish it; and for their Grievances, they should rely upon his Royal Promise, and give as much time now as may be; and after at *Michaelmas* next, and that the King expected a positive Answer.

Hereupon the House was turned into a Grand Committee, and spent the whole day upon the Message, but came to no Resolution, and desired Sir *Henry Vane* to acquaint the King, that the House would next day proceed upon the King's Supply: But next Morning early, Secretary *Windebank* (now in actual Correspondence and Conspiracy, with *Cumæus*, *Richlieu's* Chaplain, for subverting our Religion, and introducing Popery) commanded the Speaker to *White-hall*, and the same day the King dissolved the Parliament; and the next day the Lord *Brook's* Study, Cabiner and Pockets were searched for Papers, and Mr. *Bellasis* and Sir *John Hotbam* were convened before the Council, to answer concerning passages in Parliament, and giving no satisfactory Answer, were committed Prisoners to the *Fleet*, till further Order from the King and Council; and Mr. *Crew* was committed close Prisoner to the Tower, till further Order from the Council, and no Cause shewed in either of these Warrants.

The greatest Objection against Hereditary Monarchy is, that Prince's Ears are always open to Minions, Flatterers and Sycophants, whereby they rarely understand the state of their own Affairs, or of their Subjects: To attempt this, the

Wisdom of our Constitution ordains, that Parliaments be frequently held, to represent to the King the state of the Nation, and so to inform him of Grievances, that they may be redressed : And so inviolably has this mutual Correspondence between the King and Parliament been observed in all Ages, that I do not believe any King or Queen of *England*, of the *English* Race, since *Henry* the 3d. ever dissolved one Parliament in displeasure before King *James* ; whereas of eight Parliaments, these two Kings of the *Scottish* Race, dissolved seven in Displeasure ; yet never did Parliaments in any Reign demean themselves more dutifully to any King, than to these two ; and I challenge any one to shew, that in any one respect they intrenched upon any just Prerogative of either of these Kings, or did any Act not warranted by former Presidents.

Its true, Queen *Elizabeth* would not endure to have the Parliament to meddle with the state of the Church, as 'twas established, nor hear of declaring a Successor ; and when either of these were moved, contrary to her express Order, she would commit the Members, but easily dismiss them ; otherwise, I believe in no Age any Member of Parliament was ever committed or censured by any King of *England*, before King *James*, for Debating or Reasoning of the state of the Nation and Church.

In the 30th of *Edw.* the 3d. *John* of *Gaunt*, the King's Son, the Lords *Latimer* and *Newile* were accused in Parliament for Misadvising the King, and were sent to the *Tower* for it ; and *Henry* the 4th. *Rot. Parl.* 5. upon the Complaint of the Commons against four of his Servants and Counsellors, that they might be removed, declared openly, That tho' he knew nothing

nothing against them in particular, yet he was assured, that what the Lords and Commons required of him, was for the good of himself and Kingdom; and therefore he banish'd them, and at the same time declared he would do so by any other who should be near his Royal Person, if they were so unhappy as to fall under the hatred of his People.

Whereas this King, though the Duke of *Buckingham* were accused of more Crimes in Parliament, than is recorded of *Pierce Garveston*, and the *Spencers* in *Edward* the Second's time,; and of the Duke of *Ireland*, *Tresilian* and *Belknap* in *Richard* the Second's time, and of the Death of this King's Father to boot; yet rather than the Duke shall be brought to Tryal, the King dissolves the second Parliament of his Reign: And in his Declarations for dissolving the three Parliaments, calls the Questioning his Ministers, an Invasion upon his Prerogative, and that through them they endeavoured to wound their Sovereigns Honour and Government.

Since the Statute *De Tallagio non Concedendo*, in the Reign of *Edward* the I. I think no mention has been made, that ever any King of *England* taxed the Subject before this King and his Father except *Edward* the IV. by Benevolence, for which his Memory is bitterly stained in the Parliament Roll of the Second Chapter of *Richard* the III. tho' it be not in the Printed Statutes; and by a *Loan*, demanded in the Reign of *Henry* the VIII. by Cardinal *Wolsey*, the railing of which had near raised a Rebellion; which when it came to the King's Ear, he laid the Blame upon the Cardinal, and said he would not rend his Subjects from the Law, and forbid further proceeding in it.

Arch-

Archbishop Abbot excepts against his Licencing Sybthorp's Sermon ; for that the King's taxing Loans by his own Authority, was neither by the Law nor Customs of *England*; the King in his Answer says, he did not stand upon the Laws and Customs of *England*, for he had a President for it, and would insist upon it. The Arch-Bishop replied, *he thought it was a mistake, and feared there was no such President, and that Henry the VIII. desired but the sixth part of Mens Estates, but the King desireth the full six Parts, so much as Men are set at in the Subsidy-Book* : And when the Commons in the third year of his Reign made a Remonstrance against the King's taking Tunnage and Poundage, not Granted by Parliament; the King calls this a Detracting from their Sovereign ; and commands all who have or shall have any Copies of it, to burn them upon pain of his Indignation and high Displeasure.

The King for Causes of dissolving this Parliament, (the last he shall ever dissolve) begins with the usual style, That he well knows, that the Calling, Adjourning, Proroguing and Dissolving Parliaments are undoubted Prerogatives inseparably Annexed to his Imperial Crown; of which he is not bound to render any Account, but to God alone, no more than of his other Regal Actions. But *Quid Gloriaris!* Did ever any King of *England* say this before his Father and himself? Or in what Common-Law, or Acts of Parliament is this to be found? Or if he had such Power, Why does the King so often boast of it? Sure, it had been better done by another then himself. Is this a time of day, when this Prince had lost all his Honour abroad, to magnifie himself, that he has Power to Dissolve Parliaments

instruments at home and thereby obstruct those ways, by which he might unite him to his Subjects, and then glory that he is only Accountable to God for all his Actions? *Nebuchadnezzar's* Boasts, *Is not this the Babel which I have built?* was but a Bauble to this. He said this but once, and God sent him seven Years among wild Beasts, and he saw his Pride, and repented: This King upon all Occasions makes his Boasts; But I do not find, he ever repented of any of them.

But admit the King had this Power, and also that the Opening, Adjourning and Proroguing Terms, and granting Commissions of Oyer and Terminer, and times of their Sitting and Continuance for Executing Justice, be Prerogatives inseparable to the Imperial Crown, of which he is Accountable to God only; would not every Man judge this were a failure of Justice; and question whether he was God's Vicegerent herein, for the Good and Benefit of his Subjects?

The Acts of the 25 of *Edward the III.* determines what Treasons are Conusable by the King's Judges, but the other Treasons at Common-Law, are only determinable in Parliament; and one of the chiefest ends in calling Parliaments, is when the Judges themselves, or Ministers of State becoming Corrupt and too great for the ordinary Courts of Justice, they may be punished in Parliament; it is therefore greater Injustice, and infinitely more dangerous to the King and Subjects to deny the Nation this Right, than to deny Justice to particular Subjects.

The King is head of the Common-wealth, and the Laws and Constitutions of the Nation, unite them

them into one Body ; which, If they cease, there is neither King nor Common-wealth ; and by the 4 *Edw.* the 3. c. 4. Parliaments shall be holden every year ; and by 36 *Edw.* the 3. c. 10. Parliaments shall be holden once a year, and oftner, if need be, that Grievances and Mischiefs be redrest : How then does it become the King to Glory, that the Calling, Adjourning Proroguing and Dissolving Parliaments are undoubted Prerogatives, inseparably Annexed to the Imperial Crown : which in plain *English* is to say, *It is a Prerogative, inseparable to the Imperial Crown, to rend himself from his Subjects, and to make himself neither King, nor the Nation his Subjects.*

But if the King be Accountable only to God for his Actions, how comes it, that he so often Appeals to the People by these Declarations, against their Representatives, or rather against the People, and their Representatives, to his own Minions and Flatterers ; which are worse than any other Rebels and Traytors ; for these appear bare-fac'd what they are, whereas those steal away the Love and Obedience of his Subjects, and provoke them either to be Rebels and Traytors, or careless to assist him against such as are : And this was the Case of *Edward* the 2d. and *Richard* the 2d. and now it comes fast upon this unhappy King, for so hereafter he will ever be.

In *September* this year, the *Dutch* fell upon a Fleet of the *Spaniards* in the *Downs* so furiously, as, being 53 in number, made them cut their Cables, and run 23 of them on shoar, whereof 3 were burnt, 2 perished on the shoar ; the Remainder of the other 23 were deserted by the *Spaniards*, and Mann'd
by

by the *English* to save them from the *Dutch*, the other 30 put to Sea, of which only 10 escaped : Yet the King however he gloried in being stiled *Sovereign of the British Seas*, took no care to vindicate this against the *Dutch*, to whom he was now become as contemptible, as to his *Scotish* Subjects. Now let's see how things stood in *Scotland*.

After the pacification between the *English* and *Scots*, yet full of Jealousy on either part, the King sent for 14 of the principal Covenanters to come to him at *Berwick*, which the *Scots* refused, and only sent *Montross*, *Lowden* and *Lenthian* ; these three Lords seemed much mollified, by what the King had granted, and promised all Obedience to the King.

The King urged *Hamilton* to be his Commissioner, which he refusing, he made *Traquair*, but tied up to close Instructions, and in *August* he Indicts a General Assembly : The Bishops protest against it ; and the Covenanters supplicate the Commissioners and Council, that Episcopacy be declared unlawful, and the Covenant subscribed by all the *Scotish* Nation, which the Commissioners verbally consented to.

Here you must understand, that the Covenanters make the *Kirk* a distinct Table or Body from the Civil, of which *Christ Jesus* is the only Head ; and that the Parliament is obliged to pass all the Acts of a General Assembly ; so that though by many Acts of Parliament, the Bishop's Sitting and Voting in Parliament is Ordained and Confirmed ; yet the voting Episcopacy to be unlawful, hath rescinded all those Acts of Parliament, for *Sublata Causa, tollitur & Effectus*.

Upon

Upon the 30th. of *October* in 1639. the Parliament met ; but upon the Difference between the Houses and the Earl of *Traquair*, about naming Lords of the Articles, the Earl prorogues them to the 14th. of *November*, which the Parliament protest against, and declare all Proceedings in Parliament to be as valid, as if no Prorogation had been.

The Parliament hereupon appoint a Committee to represent this to the King, and in the meantime to expect the King's Answer, and make the Earl *Dumferling*, and the Lord *Lowden*, their Deputies to do it ; who coming without Warrant from the Earl of *Traquair*, were commanded back again without Audience.

Then the King commands the Commissioner *Traquair*, to Prorogue the Parliament to the 2d. of *June* in 1640. and that *Traquair* should come and give an Account of the Matters proposed in Parliament ; and *Traquair* having gotten one of the Letters which the Covenanters had sent to the *French King*, for his Protection and Assistance of the Covenanters, subscribed by *Rothes*, *Montros*, *Lesley*, *Montgomery*, *Lowden* and *Forester*, brings this with him, and delivers it to the King, which the Scots would never forgive the Earl, but ever after deemed him an Incendiary.

This yet being unknown to the Covenanters, they petition the King to permit them to send some of their Members to vindicate their Proceedings, which the King did, and they sent the Earl of *Dumferling* and *Lowden* again ; the King, when they came to *London*, claps *Lowden* close Prisoner in the *Tower*, and expected that this Confederacy between the Scots and *French*, would be a means to procure the Parliament to at-

set him more powerfully against the *Scots*; but the King having dissolved the Parliament, he as suddenly dismiss him, as before he had committed him, which did the King no good.

This unhappy King would as easily be excited to give harsh Language, as be put upon sudden Actions, and as soon leave them, and often proceed quite contrary: And now the King taxes the *Scots* Proceedings to be Traiterous and Rebellious, and causes a Paper by the *Scots*, after the Pacification, to be burnt by the Hand of the common Hang-man; but the *Scots* insisted their Proceedings to be according to the Covenant, which they could not start from, and that therein they were the King's most dutiful Subjects.

Things could not long stay here, but upon the 20th. of *August* in 1640. the *Scots* enter *England* with an Army of about 22000 Men, Commanded by General *Lesley*, to deliver a Petition for Reformation of Religion and State, and to justify their Proceedings; and begin as the King did at the opening of all his Parliaments, with the necessity of their Proceedings.

The King, the same day the *Scots* entred *England*, posts to *York*, having made the Earl of *Northumberland* General of his Army, the Earl of *Strafford* Lieutenant General; and my Lord *Marshall*, the Earl of *Arundel*, General of his Forces on the South of *Trent*.

When the King came to *York*, his first care was to stop the *Scots* from passing the River *Tine*, and commanded the Lord *Conway*, and Sir *Jacob Astley*, to oppose them; but the *Scots* having the Advantage of the Ground, and six fold more in number than

than the *English*, force their passage at *Newborn*, about five Miles from *Newcastle* to the *West*, and take *Newcastle*, and after *Durham*, and Tax the Counties of *Northumberland* and *Durham*, at 850 *l.* a Day ; but the Rents of the *Papists*, and the Church of *Durham* they take over and above.

The King instead of fighting the *Scots*, is encountered with Complaints from the Inhabitants of *Yorkshire*, *Durham* and *Northumberland*, of the Miseries of their Condition ; then with Petitions from many of the Nobility, the City of *London*, and other places, for a free Parliament ; upon this the King Assembles a great Council of the Nobility, to advise what to do.

Now things are brought to the point *Richlieu* had designed them : The King in these two Expeditions had spent all the 900000 *l.* he before had lodged in his Exchequer ; and now had two Armies to maintain in the Bowels of his Kingdom, when he not only had no means to pay either ; but also, without doubt, the *Scotch* Army were pensioners to *France*.

The Lords advise a Truce, which is accepted, and all agreed ; but how to pay the Armies till a Parliament meet, was the question, the *Scots* coming for all the *English*-Mens Gudes, demand but 40000 *l.* per *Mensem*, but like their Country Pedlars, fall to 25000 *l.* which is agreed ; which with the Charge of the *English* Army, would amount to 60000 *l.* per *Mensem*, to save the Country from Quarter.

In this Treaty the King named the Earl of *Tarquair* to be assistant to the *English* Peers ; but the *Scots* excepted against him, as an Incendiary, and
one

one to be brought to Punishment ; the King submits, and leaves him out : But how to provide Money to pay both Armies till the meeting of the Parliament, which was to meet the 3^d. of November, is the Question ; The King had not Credit : It could not be had but from the City of *London*, which was upon ill Terms with the King ; for Alderman *Askins*, Sir *Nicholas Ranton* and Alderman *Geere*, were by Order of the Council, in Prisons in *London* ; and the Attorney General had Orders to draw an Information against them in the Star-Chamber, for refusing to return the Names of such as were able to lend upon a Loan of 200000 *l*. demanded by the King.

The Lords therefore of the Great Council, write to the City of *London*, signifying the King's Gracious Resolution of calling a Parliament, wherein he promised all Grievances to be redrest ; the Miseries of the Country, if the Armies were not paid ; and not less than 200000 *l*. could prevent them ; and the Lords would give their Bonds for the Cities Security ; whereupon the City lent the Money, and then the Treaty was Adjourned from *Rippon* to *London*, But that we may better see how things stood at the opening of the Parliament, let us look back a little.

After the King had Dissolved the Parliament, May the 5th, he left the Convocation sitting, who frame an Oath, wherein they Swear never to consent to alter the Government of the Church by Arch-bishops, Bishops, Deans, and Arch-Deacons, &c. as it stands now Established, and as by right it ought to stand (which was interpreted to be *Jure Divino*) They also made 17 Canons ; and Goodman, Bishop of *Glocester*, for refusing to Subscribe the

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Oath

Oath and Canons, was Suspended; *Being encouraged by Montague, Bishop of Norwich, and Laud's Creature, who, Goodman said, had in his Person Visited, and held Correspondence with the Pope's Nuntio, and received his Letters in behalf of his Son, who was then Travelling to Rome, and by his Letters, had extraordinary Entertainment there.*

Nor did the Convocation stay here, but granted the King a Benevolence of six Subsidies, to be paid in 6 years, the Refusers to be Suspended, and Excommunicated: To such an Extremity did the Clergy push things in this Techy and Disorderly time. But any Man may easily guess the Spring, which set all these Wheels in motion, And it is observable, that the Clergy, who now Taxed their fellow Subjects, without consent of the Commons, shall ever hereafter be Taxed by the Commons, without the consent of the Clergy.

CHAP.

CHAP. III.

*A Continuation of this Reign, to the Death
of the KING.*

UPon the 3d. of *November* the Parliament met; and the Nation, which for above 15 Years had been ridden by a more than *French* Government, now look upon the Parliament (I mean the Houses) to become their Redeemers; and by how much more Honour the Nation gives them, so much less they leave to the King; and here again you may see the unhappy Fate of Princes, who treat their Subjects as Enemies, and Favourites as their only Friends and Confidants: For the first that forsook the King, and run beyond Sea, was *Canterbury's* old Friend, Secretary *Windebank*; next after him flies *Finch*; and after the Earl of *Arundel*; and not one of his old Favourites, I mean before the *Scotch* Troubles, stood by him, except my Lord *Cottington*; Secretary *Cooke* was either really, or politickly sick; *Fuxton*, Bishop of *London*, indifferent; and in all the Wars lived in the Parliament-Quarters; but all the rest sided with the Parliament against him: Only *Land* and *Strafford* are laid in prison, and after put to Death.

Nor were the Factions less pliable to entertain these Minions and Favourites, than they were forward to join with them: I'll give you one instance herein; In this Parliament, all those who would not join them, were called *Delinquents*; and upon a Debate in the House of Commons, concerning

an Order in the Star-chamber, signed by my Lord Privy-Seal, Secretary *Cooke*, and others, it was moved to send for Secretary *Cooke* as a Delinquent: Another Member (my nearest Relation from whom I had this) moved, that since Sir *John Cooke* was Aged and Infirm, and above 100 Miles off, and my Lord Privy-Seal in Town, therefore that the House should proceed against my Lord: To whom Mr. *Pym* replied, *That whatever my Lords Ante Acta Viræ were, yet since he now went Right, that all ought to be forgotten.*

Nay, so zealous were these new converted Minions and Favourites, that rather than forsake their Seats in Parliament, they'l lose their places at Court. You have heard how my Lord Privy-Seal became Lord Chief Justice of the *King's-Bench*, after which the King made him Earl of *Manchester*, Lord Privy-Seal, and President of the Council; my Lord *Keeper Coventry* was upright in all his Decrees; but my Lord Privy-Seal sets up the Court of *Requests* to have a concurring Jurisdiction with the *Chancery*; and Men, whom my Lord *Coventry* did not please, brought their Causes into the Court of *Requests*, so as in a short time the practice of this Court swelled so much, that my Lord Privy-Seal made more Clerks and Attorneys, than ever was known before.

King *Charles* sent to the Bishop of *Ely*, that he, (the King) would have *Hatton-House* in *Holborn* for Prince *Charles* his Court, and that the King would be at the Charges for maintaining the Bishop's Title; though the Bishop told me it cost him many a pound; so in the Bishop's Name a Suit was commenced in the Court of *Requests*, for *Hatton-House*:
Before

Before the new Buildings were built, *Hatton-Garden* was the finest and greatest in or about *London*; and my Lady *Hatton* had planted it with the best Fruit, Vines and Flowers which could be got; upon Commencing this Suit, she destroyed all the Plantations, yet defended her Cause with all opposition imaginable: But at last in 1639, notice was given to my Lady to hear Judgment, and at the Day my Lady appeared in Court, when my Lord Privy-Seal demanded of my Lady's Council, *If they had any more to say, otherwise, upon his Honour, he must Decree against my Lady.* Hereupon my Lady stood up, and said, *Good my Lord, be tender of your Honour, for 'tis very young; and for your Decree, I value it not a Rush, for your Court is no Court of Record; and the Troubles in Scotland growing higher, the King had no benefit of the Decree, nor my Lord any credit in his Court ever after.*

Nor were the Descendants of many of the King's Favourites more faithful to the King, than their Fathers, as the Lord *Kimbolton*, Sir *Henry Vane*, Jun. Sir *John Cooke*, *Henry Martin*, &c.

Now when it was too late, like a Man who begins his Business the last day of the Term, the King seems to alter his Countenance, and indulge another sort of Men in Church and State, who were Opposite to the principles in Bishop *Laund's* Regency. Dr. *Williams* Censured, and Imprisoned in the Tower, has all the Proceedings against him in the *Star-Chamber*, and *High Commission* revers'd, and taken off the File, and *Montague*, Bishop of *Norwich*, dying in the beginning of the Parliament, Dr. *Hall* is Translated from *Exeter* to *Norwich*, and Dr. *Browning*, a most learned and zealous *Anti-Arminian*, is

made Bishop of *Exeter*, &c. my Lord Chamberlain *Pembrock* is removed, and the Earl of *Essex* put in his place, Sir *Robert Holborn* made Attorney General, and *Oliver St. John* Solicitor, both which were Mr. *Hambden's* Counsel against the Legality of Ship-Money.

But neither these Actions, nor the King's repeated Royal Word could gain Credit with the Parliament, (I mean the Houses) who though at another time they would have dreaded a standing Army, now resolve to maintain Two till their Grievances were Redrest : And sure now it was a lamentable State the King was reduced to ; He that before rather than hear of what he had done, did not care what he did, and therefore dissolved Four Parliaments, now every day hears of what he had done, yet cannot help it. His Judges, which before had refused to Bail his Subjects, committed by the King without cause, are themselves now committed against the King's pleasure, and no Bail to be taken for them : The King's Customers, who by the King's Order, seized and sold the Merchants Goods, for not payment of Duties not legally Imposed, are themselves seized, and Fined more than they are worth.

Herein the King was only *Passive*, but the Houses would not stay here ; but though the Commons at first Impeached the Earl of *Strafford*, before the Lords in their Judicial Capacity, wherein the King's Consent was not actually necessary ; yet they after proceeded against him by Bill, wherein the Attainder must be actually Assented to by the King, Personally, or by Commission, which the King did, my Lord Privy Seal, and the Earl of *Arundell* (I believe very

very unwillingly) being Commissioners; and the same Day passed an Act, That the Parliament should not be Prorogued, Adjourned, nor Dissolved, without their Consent; which proved as great a Grievance, as the King's proroguing and dissolving them at pleasure. And the passing these Laws so frightened my Lord Treasurer *Juxton*, the Master of the Court of Wards, and the Governor of the Prince, that they all resigned their places.

Besides these the King Passed an Act for a Triennial Parliament to meet, if not by usual Means, then by others, whether the King would or not. And an Act for the utter Abolishing the Star-Chamber and High Commission-Courts: And to make it a *Præmunire* in every one of the Privy Council to determine any Causes Conusable at Common-Law: An Act to abolish the Court of the President and Council of the North; and an Act to rescind the Jurisdiction of the Court of Stan-nerie's: An Act to repeal the Branch of a Statute made the first *Eliz. Cap. 1.* to Authorize Ecclesiastical Persons, natural born Subjects of *England*, to reform Errors, Heresies, Schisms, &c. An Act for declaring Ship-mony and all Proceedings therein void: An Act for ascertaining the Bounds and Limits of the Forests as they were in the 20th. Year of King *James*: And an Act to prevent the vexatious Proceedings touching the Order of Knight-hood. These Acts thus passed, the Houses thought themselves secure enough, and so paid off and disbanded the *English* and *Irish* Armies, and sent the *Scots* into their Country again.

The much Greater Part of the Gentry and also of the Members of both Houses would have been

content to have staid here; and many believed if the Parliament had met at *York* or *Oxford*, they would; but this could not be without disgusting the City of *London*, from which only the Loan of 200000 *l.* could be raised for payment of the Armies till Provision could be made by Parliament.

But it was Decreed that things should not rest here; and that the Faction in the House of Commons might get a Majority at one Vote, as they Ordered it, they Voted all those who had been Instrumental in Monopolies, or in Shipmony, or Collectors of the Customs, out of the House, and none were chosen in their places; and the Rabble in the City in Tumults Exclaimed against the Bishops and *Popish* Lords Votes; hereupon the Bishops enter their Protestations against all Proceedings till they might sit and Vote freely; whereupon they are committed to the Tower, and a Law was passed to disable the whole Hierarchy for the Future to have place in Parliament.

As the *Scots* began their Reformation with a Covenant, so the *Commons* begin theirs with a Protestation, wherein they Promise, Vow, and Protest in the Presence of God to *Maintain the true Protestant Religion, Expressed in the Doctrine of the Church of England*, and according to their Duty and Allegiances to Maintain and Defend his Majesties Royal Person and Estate, the Power and Priviledge of Parliament and Liberties of the Subjects, and to preserve the Union and Peace between the Kingdoms of *England, Scotland* and *Ireland*: But herein was the Difference between the *Scots* and *English*; The *Scots* would improve their Covenant, and establish it in *England*, but the *English* scarce ever after care for their Protestation.

How-

However the Commons prevail with the Lords to take it, and then Impose it upon the Nation, upon penalty of being Deemed Malignants and Disaffected.

The King little pleased with what he had done, and less with what the Houses had done without him, follows the *Scots* into *Scotland*; and there Cajols the *Covenanters* with all Courtship imaginable, makes *Lesley* the *Scots* General, Earl of *Leven*, and Confers other Honours upon the *Covenanters*; calls a Parliament and consents to the Extirpation of Hierarchy, and Establishes *Presbytery* as fully as the *Kirk of Scotland* could desire; the *Scots* at present promise all Duty and Obedience to him, but how well the King found it, in a short time will appear.

Whilst the King was thus busied in *Scotland*, an Horrible and Hellish Massacre was perpetrated in *Ireland* by the *Irish* upon the *English* wherein its computed above 200000 *Protestants*; Men, Women, and Children were Butchered; after which followed an Universal Rebellion, Excepting in *Dublin*, *London-Derry* and *Iniskillen*, which was headed by the *Popes Nuncio*, a most proper Head for such a Body; yet so intent were the Factions in *England* and *Scotland* in Establishing their Designs, that little care was had of the Miserable Relicts of the *Protestants* in *Ireland*.

Upon the Kings going into *Scotland*, the Parliament Prorogued themselves to a certain day; But the Commons appointed a Committee to prepare Business against their next Meeting: Yet send Spies to observe all the Kings Actions; and after the Kings return to *London*, which was upon the 25th. of

Novem-

November 1641. The House of Commons upon the 5 of December make a Remonstrance of all the Kings Miscarriages abroad, and of the Grievances and Illegalities of his Ministers at home, from the beginning of his Reign; and that the King might be sure to see it, as well as hear of it, they *Print and Publish* it.

The King not being used to such *Language*, was stung to the Quick by the Commons Declaration: And to Retaliate it in Act, upon the 3d. of January enters the House of Commons and Demands Five of their Members to be Tryed for *High Treason*, for holding Correspondence with the Scots: Than which he could not have done a more Imprudent Act; for by it he unravelled all that he had done in *Scotland*, by Involving the Scots in the same Crime.

But the Members had their Agent in the Kings Most Secret Councils, and had notice of the Kings coming before, and so the Five Members were withdrawn. This Act of the King did not only set the House in a Flame, and put the City into Tumults, but brought Petitions from *Buckinghamshire* (where Mr. *Hambden*, one of the Five Members, was Knight,) that the Privileges of Parliament might be secured, and Delinquents brought to Condign Punishment. All this while poor *Ireland* lay Bleeding.

The King as unstable in his Resolutions as inconsiderate in his Actions, Retracts all he had done, and promises not to do so again: But to no purpose, for the Members resolve not to trust his Royal Word, Prerogative and Absolute Will and Pleasure, and therefore will tear the power of the Militia from him, Rather then suffer this, tho upon

upon the pretence of Tumults, the King resolves to leave *London*.

But before the King left *London*, my Lord Mayor, Sir *Richard Gurney*, Sir *Henry Garoway*, and other principal Citizens waited upon the King, and Ingaged, if he would stay they would Guard him with 10000 Men, if Occasion were; and told him if he went he would leave the City open for the Members to do as they pleased; and that they were sure to be first undone; the King told them he was resolved: Then Sir *Henry Garoway* said, Sir, I shall never see you again: However his Eldest Son, Mr. *William Garoway* (a worthy Gentleman, who yet lives) went with the King and followed him in all his Wars.

The worthy Citizens proved true Prophets; for soon after the King left *London*, the Members Imprisoned my Lord Mayor, Sir *Henry Garoway*, and all others whom they suspected would be Faithful to the King; and then in *London* began to assume the power of the Militia.

After the King left *London* he went to *Tork*, and from thence went towards *Hull*, but is shut out of the Town by Sir *John Hotham*, whom the King Proclaims Traitor; and now before it came to Sword and Pistol, Men began a War with their Pens: And herein its Observable, that the Writers for the King chiefly maintained his Cause out of Sir *Edward Cokes Pleas of the Crown*, which by Order of the Kings Council, was upon Sir *Edwards* Death-Bed, Seised as Dangerous and Seditious; and I do not find any who Wrote for the Parliament, ever used any one Topick out of it to justify their Cause; tho' it and Sir *Edwards* other Books of the Comment upon *Magna Charta*, and *Jurisdiction*

tion of Courts, were Printed by Order of the House of Commons, and by them Petitioned that the King would deliver the Original's to Sir Robert Coke, Sir Edward's Heir.

Whilst things were in this Hurly-burly in *England, Portugal and Catalonia* revolt from the *Spaniard*; which as it was a mighty Blow to *Spain*, so it much conduced to the advancing the Designs of Cardinal *Richlieu* in *France*.

In *England* things could not hold long at this stay, but upon the 22d. of *August* the King comes to *Nottingham*, and sets up his Standard there, and invites all his loving Subjects to come to his Assistance against the Rebels: Never was Nation shuffled into such unhappy Circumstances; for to join the King was to return to his *Prerogative Royal*, and *Absolute Will and Pleasure*; and I have oft heard several of those who followed the King in the War say, *They as much dreaded the King's overcoming the Parliament-party, as they feared to be overcome by them*: And the Houses had broken the Fundamental Constitutions of the Nation, so as no Man could tell where they would stay.

Now are things brought to that pass which *Richlieu* design'd them, viz. *England and Ireland* in Civil Wars, and *Scotland* pensioners to *France*; so as he might now securely carry on his Designs of advancing the Grandeur of *France*, without any fear of disturbance from hence. And now you may see the miserable condition the King's Minions and Favourites had brought upon the King, and all his Kingdoms: Yet it is observable, how great the Loyalty of the Nobility and Gentry of the Nation was to the King, that from so low beginnings, in all

all appearance, they would have subdued the Parliament-party, if the *Scots* next year had not come to their Assistance; whereas in the Reigns of *Edward* the 2d. and *Richard* the 2d. though the Grievances of the Nation were more in one Year of this King's Reign, than in both their Reigns: Yet both were expelled, and lost their Lives, their Subjects not drawing a Sword in their defence.

In the first Year of this War, the King's Armies were every where Victorious in the *North* and *West*: But the *Scots* next Year, as zealous to promote their Covenant in *England*, as *Land* before was to establish the Liturgy, Canons, and High Commission in *Scotland*, enter *England* the 16th of *January* in 1643; and about the same time the King makes Truce with the *Irish* for a Year, and calls the *English*, sent to reduce the *Irish*, to assist him in *England*; but with different success, for the *Scots* take *New-castle*, *Durham*, and after *Carlisle*; whereas the *English* from *Ireland* are routed, and Colonel *Monk*, after Duke of *Albemarle*, is taken prisoner.

The King to add Reputation to his Arms, the 22d. of *January* holds a Convention of the Members of his party at *Oxford*, where the Nobility were more numerous than those at *London*; and tho' the Commons were not so many, yet their Quality was higher than those at *London*; these Vote the *Scots* Invasion into *England*, to be High Treason and Rebellion; but because they would not Vote the Members at *London*, not to be Two Houses of Parliament, he Dissolved them, and called them his *Mungr-el-Parliament*, by which you may judge his Temper, if he had Overcome his Enemies.

The Houses in return of their Brethren's kindness, take their *Covenant*, wherein the Bishops are not only excluded the Lord's House, but Episcopacy is Abolished, and all Clergy-men who refuse to take it, are Sequestred, and termed *Malignants* and *Disaffected*; but tho' the Loyal Clergy were turn'd out of their Livings, for not taking the *Covenant*, yet there were enough of the Supernumeraries, of those bred in Grammar Schools and Universities to supply their places, with a Reserve to serve those *Presbyterians*, as they had served the *Episcopal Clergy*.

From this time the King's Affairs go backwards, till the fatal Fight at *Nasby*, the 14th. of *June*, 1645, where the King's Army is utterly defeated, and as if providence having determin'd the Controversy by the Sword, it now lays open the King's Designs in case he had prospered.

For at this Fight the King's Letters to the Queen were taken in his Cabinet, of his Secret Designs; in some of them was mention of the King's Intention of making a Peace with the *Irish* Rebels: And to have 40000 of them over into *England* to Prosecute the War here.

In others the King Complains, that he could not prevail with his Mungrel Parliament at *Oxford* to Vote that the Parliament at *Westminster* were not a lawful Parliament, that he would not make Peace with the Rebels (the Parliament) without her Approbation; nor go one Jot from the Papers She sent him.

That upon the Treaty at *Uxbridge* he did not positively own the Parliament, it being otherwise to be Construed; tho' they were so Simple as not to find

find it out, and that it was Recorded in the Notes of the Kings Council that he did not acknowledge them a free Parliament.

The Members having got these Papers, not only Printed and Published them, but Order them to be kept upon Record; and also make a Publick Declaration concerning them, wherein they shew what the Nobility and Gentry following the King must Trust to.

From this time forward, all things goe to wrack on the King's part; so that the King seeing his Fortune inevitably declining, offers himself into the power of the *English* Parliament, now his Mungrel, as he pleased to call them, could no longer protect him; but the Parliament refuse him; then he seeks Protection of the *English* Army, but with no better success; so as now he had no other Refuge but to throw himself into the Arms of the *Scots*, who were the beginners of all his Calamities; and to this he was invited by the *French* Ambassador who was then in the *Scotish* Army; for though *Richlieu* were then dead, and also his Master *Lewis* the XIII. yet Cardinal *Mazarine* following *Richlieu's* designs, kept a constant Intelligence with the *Scots* to Imbroyl the Affairs in *England* and *Scotland*.

Never did King more value himself upon his honour, nor any Man more mistake it; for Honour is the Estimation of the Power of another, conjoyn'd with Goodness; and the Majesty and Honour of a Prince is founded in the Love and Obedience of his Subjects; which this Prince misplacing upon his Wife and Minions, lost it over his Subjects; and now his Loyal Subjects in *England* are

are overcome, must even in *England* trust himself with the *Scots*, upon whom he could no more rely, than the *English* could upon his manifold Declarations for maintaining the *Protestant Religion*, the *Laws of the Land*, and *Freedom of Parliament*: And that the Market the *Scots* made of him may be better understood, we will look back a little.

It was in *January* in 1643. when the *Scots* invaded *England* the second time to assist the *Parliament*; and the King having made Marquiss *Hamilton* his Commissioner, suspects him to have held Correspondence with the *Scots*, and committed him prisoner to *Pendennis-Castle*; and in *May* following, sends the Marquiss of *Montrose* his Commissioner into *Scotland*, with power to raise Arms; which, from a small Original of about 2 or 300 Men, in a year and a halfs time over-run all *Scotland*; but his Men full of plunder, yet without pay at the last Fight at *Philipshaw*, disbanded in great numbers, when *David Leslie*, with a strong Body of Horse from *England*, set upon the Remainder, and those which were not killed, had Quarters given, yet after in cold Blood, were most barbarously murdered: Nor do I believe there is any Record, which mentions a more Insolent, Faithless, and Railing sort of Men, than these *Scotch* Covenanters were, after the King, against his own Conscience, had Granted all they could ask.

Montrose his Foot thus destroyed, and the Marquiss of *Huntley* obstinately refusing to join him, *Montrose* is forced to quit the *Low-Lands of Scotland*, and betake himself to the *High-lands*, and act defensively. In this state, the War in *Scotland* stood, when

when the King put himself into the power of the *Scottish Army in England.*

The *Scots* having got the King, resolve to make a double Market of him, *viz.* to have him send to *Montross* to disband his Army, and retire out of *Scotland*, and then to sell him to the Parliament in *England*, for so much as they could get; for that of *Montross*, it was no sooner asked, than granted by the King; but *Montross* was no sooner gone, but the Covenanters seize *Huntley*, and cut off his Head.

But the Bargain for Sale of the King being a mighty Matter to the *Scots*, required a longer time, and the *Scots* would not lose one *Scottish* pound they could get for him; and therefore, though the King put himself into the power of the *Scots* the 5th. of *May* in 1646. yet the Bargain was not concluded till *January* following; and then the *Scots* flush of Money return home, finding all things in peace, now *Montross* is gone; and the Parliament having bought the King, confine him to *Heldenby-House*, an House of the King's in *Northamptonshire*, under the Guard of a select Company of Covenanters, whereof Sir *John Cook*, Secretary *Cook's* Son, was one.

Thus this Prince, who before had shifted the worthy Members of Parliament, from one Prison to another, that they might have no benefit of their *Habeas Corpus's*; and the Constables of *Hertfordshire*, from one Messenger to another, is himself shifted from one place a Prisoner to another, without any hope of an *Habeas Corpus*: He that before by his Absolute Will and Pleasure, would without any Law seize his Subjects Goods, and commit them to prison; cannot now enjoy his own Estate in his own

House: He that before Arbitrarily raised Ship-money, has not now one Ship to command.

One would think the Covenanters had their Game sure enough, now those in *Scotland* had got rid of *Montross*, and full of Money, and those in *England* had got the King into their power, and the King's Army utterly subdued, and both Kingdoms united into one solemn League and Covenant, so that both may sing their *Requiem* for many Years.

But see the instability of Human Affairs, where they are not founded in Truth and Righteousness; for the *Scotish* Directory, Catechism and Government, sorted as ill with the *English* Genius, as *Laud's* Liturgy, Canons, and High Commission did with the *Scotch*; and the rigid Execution of them, as Insolent and Tyrannical, as the proceedings in the Star-Chamber, and High Commission; and these being general, equally offended all; and tho' the *Cavalier* Party being under Hatches, said little; yet the Brawls and Invectives between the *Presbyterians*, and other Parties were as fierce, as between the *Arminians* and Orthodox in *Laud's* time, so that things were not like to continue at this rate.

The Parliament having the King now in their power, the *Scots* gone; yet *Ireland* (I mean the *English* Interest in it) in a very deplorable state; and being apprehensive of the Temper of the Army, whose Principles were *Anti-presbyterian*; and that they might, in some measure, ease the Country of maintaining the whole Army, resolved that 12000 of the Army should be sent over into *Ireland*, to be commanded by Major General *Skippon*, and 6000 Horse, 2000 Dragons, and 6000 Foot to be kept up

up in *England*, and commanded by Sir *Thomas Fairfax*.

Cromwell was aware of what the Members designed, and the Members were as jealous of *Cromwell*, and therefore would not dispence with the self-denying Ordinance, that he should be in the Army; however *Cromwell* had his Agents in it, and by the Ministers, and other zealous *Independents*, foment their Jealousies, that the Parliament designed to disband them without payment of their Ar-rears; and in this ferment they chose two out of every Regiment, which they called *Adjutators*, to whom they gave Power to hold Councils, and judge what was fit to be done for the common good.

These *Adjutators* were usually called *Levellers*, who cried up *Liberty, and the Power of the People*; and assumed to themselves a power in their Councils, above what the Collonels claimed.

The proceedings of the *Adjutators* startled the Parliament, and in a great measure the Colonels and Officers of the Army; so that unless *Cromwell* did appear in the Army, and by his Authority did restrain the License which the *Adjutators* assumed, they sat very loose in their places.

Cromwell knew this as well as they, and that the *Adjutators* struck at his Authority, as well as the Officers; so that when there was a Debate in the House of Commons, how to suppress the *Adjutators*, *Cromwell* professed, and called God to witness, That he was certain the Soldiers would at the first word of his Command, if he were among them, throw down their Arms at the Parliament's feet; and solemnly swore, that he rather wished himself, and his whole Family

burnt, than that the Army should break out into Sedition, and the House had so little Wit as to believe him, and so sent him down to appease the Army.

Hereupon Cromwell ordered a General Muster of the Army upon *Hounslow-beath*, where the Army was divided, and the *Levelling-Party* refused to come under Cromwell's Command; whereupon Cromwell sent to the *Levellers* to send some to treat of their Grievances, which they did, and when they came, Cromwell, with an undaunted boldness, pistoled three of the most forward of them, and seized the rest, and then the *Levelling* part of the Army submitted.

The Sectaries, of which the Army was composed, though they had the Sword in their Hands, yet had no Face of Authority to recur to, the Presbyterian Members in both Houses being three to one; they therefore send Cornet *Joyce* with a Party of Horse to *Holdenby*; who the 4th. of June, 1647. (which was in less than four Months after the Members had brought the King thither) take the King out of the Parliament Commissioners Power, and keep him in the Army.

And now this poor Prince (for so he may be truly called, since he, who before by his absolute Will and Pleasure, would take his Subjects Estates, has now no Power to get his own) is fallen into the Hands of another sort of Flatterers than in the former; yet these intended him no more good than the Former, viz. only to gratifie their Ambition, Avarice and Treachery, by making use of the King's name.

These seem to lament the hard Conditions the Members impose upon him; not only in his liberty, but

but in keeping him from his Children and Friends and allow him both; professing they would never lay down Arms, untill they had put the Scepter into his Hands, and procured better Conditions for his Friends.

In order hereto they seem to join the King's Interest with theirs, and in their Declarations for redress of Grievances, declare for the King and People; and that the Members prefix a certain time for their Sitting, so that a new Parliament may be called, and thereby the Nation settled upon sure Foundations; and that they (the Army) might seem resolute, they accuse **II** of the leading Presbyterians of the Commons, and as many of the Lords, of High Treason (for Treason now was as familiar to either of the Factions against one another, as it was in *Tiberius's* Reign in *Rome*, or before the 25th. of *Edward* the III. in *England*) and demanded they might be excluded the Houses, and brought to Tryal: The Commons fled beyond Sea, but the Lords staid by it, and were committed to the *Tower*; but when the Artifice was over, were discharged again.

Now is this unhappy Prince seemingly Courted on both sides (tho' neither intended better than the other) for the Houses resolve not tamely to submit to the Army; and therefore they invited the King to come to *London*, and raise, and Arm the City against the Army.

Hereupon the Army marches against the Parliament and City, declaring the King should be restored, the Parliament dissolved, and publick Peace and Justice settled; and upon the 29th. of *July*, the Speakers of both Houses, with about

⁵⁰ of the Members, fly to the Army, pretending they were forced thereto by the Tumults and Disorders of the City; and upon the 6th. of *August* the Army enter into the City, re-instate the Speakers, and commit many of the Members, the Mayor and Chief of the City to the *Tower* for High Treason, turn out the Lieutenant of the *Tower*, and put another in his place, and pull up the Chains in the City,

Now the Mystery of Iniquity works; both Factions, Parliament, and Army pretending for the King, both conspire his Ruin; the Parliament therefore, *Cromwell* and the Army joyning upon the 7th. of *November*, sent the King at *Hampton Court* such Proposals, as in Honour and Conscience he could not condescend to; and in granting them, he must disoblige the Army; and therefore the King rejected them, as too narrow to reconcile all Interests, but desired a Personal Treaty.

This was just what *Cromwell* desired; yet that he might get the King further from *London* and the Parliament, perswades him, that he was in danger at *Hampton Court*, by the hatred the *Adjutors* had to him, and therefore advises him to seek some other place for his Security; and therefore the King fled secretly to the Isle of *Wight*, where *Cromwell* had made Collonel *Hammond*, a Confident of his, Governour.

From hence the Kings sends to the Members his own Concessions, and the Demands of the Army as fit Subjects for a Personal Treaty; hereupon the Members send the King four Preliminary Cautions, which, if the King granted, they needed not another Treaty, for thereby he had devested himself
of

of all Regal Power; but herein was no mention of *Scotland*, or the Solemn League and Covenant, and therefore the *Scotish* Commissioners flatly in the Presence of the King, protest against them, as opposite to Religion, the Crown, and the Agreements between the Kingdoms of *England* and *Scotland*. Hereupon the King returns a smart Answer of the Impossibility of reconciling all Interests, by granting these Demands, which had no other effect but his being made close Prisoner, and that no further Addresses be made to him, upon Penalty of High Treason.

Here see into what a Labyrinth Men run into, when they forsake the Paths of Justice; for as *Socrates* says, *Plato Eutipbro*. *If Men in Dissention will not submit to some certain Rule, which may determine them, their Dissentions will be endless; and that the Will of the Gods, if it be divided, cannot be the Rule to determine Justice; for Men in obeying one God, may disobey another.*

So if therefore the Laws and Constitutions of the Nation may not be the Rule, which may determine the Controversies between the King, the Members, the *Scots*, and the Army, then nothing can; for else, what pleased one, would displease the other.

The King would gladly have had the Law, to have determined the Controversies; for this would have vested him in his Royal Power, and by the 17 of *Henry* the VII, would have justified all his Subjects who fought for him; but the Members would not submit to this, being to devest themselves of the Power they thought they had in their Hands; nor the *Scots*, because their solemn League

and Covenant was enacted by no Law in *England*; nor least of all would it please the Army, who nourished Designs against the King, Members and *Scots*.

To such a deplorable State is this poor King and Kingdom fallen, past all humane Relief; yet its admirable to consider, how divine Justice pursued the Cause of it, even in the Series, by which they were promoted. The King, who would not have the Laws and Constitutions of the Nation to be the Rules of his Subjects Obedience, but his Prerogative and absolute Will and Pleasure, cannot now by it, command one Servant: He who before against Law, committed so many of his best Subjects close Prisoners, whereof several dyed in Prison, for asserting his Subjects Rights, without any benefit of Law; is now by his Subjects made close Prisoner against Law, and without any benefit of it: He who before dissolved four Parliaments, because they in all dutiful ways, would have Addressed to him, to be reconciled to his Subjects, is now denied under Penalty of high Treason, to have any Address made to him by any of his Subjects: He who before had so many Forests for his Pleasure, yet not contented with what the Law and his Ancestors had left, but would break the Bounds of them, that his Subjects Inheritance might become a Prey to wild Beasts, has not now an Horse, Hound or Beast to take Pleasure in. But these things will not stay here; for it is the unhappy Fate of Princes, rarely in their declining State, to stay till they fall to the bottom; and here we end the year 1647; and hereafter shall observe the Divine Justice overtaking the other Promoters of the
Miserics,

Miseries, both in *England, Scotland* and *Ireland*; and if I shall ill perform it, yet it may be a Ground-work for another to do it better.

In this confusion the Nation began to forget the times under the King's Government, now they saw no end of these; and though the *Essex-Men*, who had the Bounds of the Forrest broke down, and were the first who petitioned the Parliament to redress Grievances, and bring Delinquents to condign punishment, yet they are now the first who petition the Commons for a Personal Treaty with the King, and then the *Surrey-Men*, but were differently received, and some of the *Surrey-Men* killed: This was in *May, 1648*.

The *Scots* too offended, that they and their solemn League and Covenant were not taken notice of in the Preliminary Treaty with the King, call a Parliament, and order the raising an Army to deliver the King out of prison.

The rude Entertainment of the *Essex* and *Surry* Men, was so far from quelling them; that they rise in Arms in *Essex, Kent, Suffolk, Norfolk, Wales*, and the *North*, and declare for the King and People: Sir *William Batton* too, who was Vice-Admiral of the *English* Fleet, goes over to Prince *Charles* with 17 Men of War, and declare for the King, having set *Rainsborough*, made Admiral by the Army on shoar. This was in *May* and *June*, and soon after, viz. in *June*, the *Surrey* Men rise, being headed by the Duke of *Buckingham*, and his Brother, the Lord *Francis*, with the Earl of *Holland*.

But it was decreed, that this Prince, who for 15 years had violated the Laws and Constitutions
of

of this Nation, and without any Law or just Reason, had so often imprisoned his best Subjects for endeavouring to reconcile him to his Subjects, should now himself, being made a Prisoner against Law, find no relief by Law, or endeavours of his Loyal Subjects.

For *Cromwell* sends *Horton* into *Wales* against Major General *Langborn*, and Coll. *Poyer*, who headed the *Welsh*, and had seized *Pembrock* and *Tenby* Castles; *Fairfax* Marches into *Kent*, and *Rainsborough* into the *North*, where the *Northern* Men had seized *Pontfrail-Castle*; and the Members restore the *Earl Warwick* to be Admiral, and fit out a Fleet under him, to suppress that which joyned the *Prince of Wales*.

Horton beats the *Welsh*, and took *Langborn* and *Poyer* Prisoners, and besieges and takes *Pembrock* and *Tenby*; but whilst he besieged these, *Hamilton*, with a numerous Army of *Scots*, Sir *Marmaduke Langdale*, Major General *Masse*y and many *English* joyn; against these, *Cromwell*, after the Surrender of *Pembrock* and *Tenby* marches, and utterly routs them, and takes *Hamilton* Prisoner.

Nor were the Fate of the *Kentish*, *Essex* and *Suffolk* Men better; for *Fairfax* fights, and beats the *Kentish* Men at *Maydston*; the Remainder under my Lord *Goring* (whom the King had made *Earl of Norwich*) cross the *Thames* at *Greenwich*, and joyn the *Essex* Men, headed by Sir *Charles Lucas*, and march to *Colchester*, where my Lord *Capel*, and many *Suffolk* Men joined them: *Fairfax* pursues them and after a stubborn Siege of eleven Weeks, forces it to surrender, being reduced to extream Famine; and

and after caused Sir *Charles Lucas*, and Sir *George Lisle*, to be shot to death.

Equal to this was the success of the *Surrey Men*, for they were routed by Sir *Michael Lewestry*, and my Lord *Francis* killed near *Kingston*; But the Duke of *Buckingham*, the Earl of *Holland*, with those which were escaped, fled over *Kingston-bridge*, and were pursued by Collonel *Scroop*, and overtaken at *St. Needs*, where Major General *Dolbier* is killed, the Earl *Holland* taken Prisoner, but the Duke of *Buckingham* escaped.

But the *Northern Men* besieged in *Pontfrait-Castle*, are not so easily subdued; on the contrary, a Party of about 30 Horse, break thro' the Besiegers, and surprise *Rainsborough* in his Bed at *Doncaster*, about 12 Miles from *Pontfrait*, and kill him, because he refused to be carried off a Prisoner; but *Pure Famine* at last forced the Besieged to Surrender.

The Revolted Fleet, now Commanded by the Princes *Rupert* and *Maurice*, partly Cajolled by the Earl of *Warwick*, their former Admiral, and unwilling to forsake their Country, Wives and Children, in great part return to the Parliament; the rest were after pursued by *Blake* and *Popham* to *Ireland*; from thence to *Portugal*, from whence they were forced by *Blake* to *Carthagea*, where *Blake* run the Princes Ships on shoar; yet the Princes having then but three Ships left, and having no Port in *Europe* to protect them, seek for one in the *West-Indies*, where Prince *Maurice* is lost in an Hurricane; and Prince *Rupert* after got into *France*, and sold the Remainder of this miserable Fleet

Fleet, being two tattered Ships to *Mazarine*, to fit out himself for other Adventures.

Whilst the Army was thus busied abroad, the Members having got possession of the Fleet, and the City of *London* being well affected to them, they join with the *Scottish* Commissioners, and rescind the Votes of Non-Addresses to the King, and in *September* appoint a Conference with the King at *Newport* in the *Isle of Wight*, to continue for forty days, and to that purpose take the King out of prison, and allow him the Liberty of the Island ; and the King upon the Matter, with Reluctancy enough, Grants the *Scots* and Members all their Demands.

But neither the Laws and Constitutions of the Nation ; nor the Endeavours of his Loyal Subjects ; nor the joint Desires of the *Scots* and Members, who had brought the King to this Condition, could protect this unhappy Prince from his approaching Ruine ; for the Army every where victorious over the *Scots* and Royalists, draw together and make a Remonstrance against all peace with the King ; that Justice may be done upon him ; that the Crown and Church Lands be Sold to pay their Army, and that the present Parliament be Dissolved, and another called, which they present to the Members, the Twentieth of *November*.

But the Members were intent upon the King's Answer to their Propositions, and laid aside the Army's Remonstrance, which they take as a slighting of them ; and then seized the King in the *Isle of Wight*, and make him prisoner in *Hurst-Castle*,
an

an unhealthy place ; and march to *London*, putting Garrisons into *White-hall*, and Noble-Mens Houses, and posted themselves about the *Palace-Yard*.

Notwithstanding the Members Met upon the first of *December*, and Vote the King's Concessions to be a sufficient Ground for a Peace. And then Adjourn for a Week ; but when the Members were to meet again, they found all the Avenues to the House beset with Soldiers ; who exclude all, which were not of their Faction, from entering the House, which were not one fourth part, and make the residue Prisoners.

So farewell *Presbytery*, and all the *Scottish* Trumpery in *England*, nor shall these Secluded Members ever meet more, but dissolve themselves to make room for another Parliament, which shall Legally persecute them, and their *Solemn League and Covenant*, as much as they by it persecuted the King, and their fellow Subjects against Law ; nor was *Presbytery* much longer lived in *Scotland*, where they shall never see it restored, by this now Race of Kings, which shall plague them with the Exercise of Archbishops and Bishops, which by their *Covenant* they had sworn to Abolish ; and cut off the Head of the Principal of their Faction ; allowing them as little place for the Exercise of *Presbytery*, as they now do the *Episcopal* Party.

The *Catastrophe* of this Tragedy resolves into the King himself ; for this *Juncto*, after called the *Rump-Parliament*, having thus purged the House, assume to themselves the Supream Power of Ordering

dering the *English* Affairs ; confirm the Vote of *Non-Addresses* to the King, and race the Votes of having a Conference with the King ; and the Declaration that the King's Concessions were sufficient Ground for a Peace, out of the Journals of the House : And Vote, First, That all Power resides in the People. 2dly, That the Power belongs to the People's Representatives in the House of Commons. 3dly, That the Votes of the Commons have the Force of a Law without the King. 4thly, That to take Arms against the Representatives of the People, or the Parliament, is High Treason. 5thly, That the King himself took up Arms against the Parliament, and therefore is guilty of all the Blood shed in this Civil War, and ought by his own Blood to expiate it.

The Nation was astonished at these Votes, for the Person of the King of *England* was ever esteemed Sacred ; and therefore though his Ministers were always accountable in Parliament, for using, or abusing the Name of the King, to gratify their Ambition, and wicked Designs against the King or Kingdom ; yet in no time was any King of *England* Arraigned and Judged to dye by his own Subjects ; and though *Edward* the 2d. *Richard* the 2d. *Henry* the 6th, and *Edward* the 5th, were murdered by wicked Men, yet none of these suffered upon pretence of Justice.

But Lame-footed Vengeance shall over-take both *Rump* and Army ; and as they both joined by Force, to impose these upon the King and Nation, so both without Force, or any Man killed, in their Defence, shall be Casheered with all imaginable

ginable Ignominy and Reproach. These Men, whom nothing but the King's, and his Loyal Subjects Blood could sariate against Law, shall by Law have their own Blood Shed in the most Terrible manner the Law can inflict; these Men who would have the Crown and Church-Lands for their Avarice; shall either dye, or be hanged, as a Company of Beggars, *Richard Cromwell*, *Oliver's Heir*, being undone to pay the Charge of his Father's Funeral; or those who had Estates shall Forfeit them to encrease the Revenues of the Crown.

The Regicides, to put the best Face they could upon this audacious Act, send the bill for Tryal of the King up to the Lords for their Concurrence; but so far were the Lords from Concurring, that they threw the Bill over the Barr: Hereupon the Rump Vote the Lords Dangerous and Useless, yet *Henry Martin* said, they were Useless but not Dangerous: Then the Rumpers advise with the Judges about Tryal of the King, who Unanimously declare it against Law and the *Scots* Commissioners Protest against it, But neither Authority, Law, nor Reason would take place with those Men, so they Erect a new Court never heard of before, called, an High Court of Justice for Tryal of the King, to consist of (I think) Seventy, Two Thirds of which were Soldiers, who by putting the King to death expected the reward of the inheritance, both of the Crown and Church.

If

If it be Misery to have been Happy, to what a miserable State have these cursed Minions, Flatterers and Sycophants, brought one of the Greatest and most High Born Princes in the Western World, to gratifie their Ambition, Lust and Avarice; for this Prince whom they would have to rend his Subjects from their Laws, has now no Subjects who dare protect him by the Laws: He who before so often Gloried, that to him alone belonged the Power of Pro-roguing, Adjourning and Dissolving Parliaments, who never did him wrong; but met to assist him against those who wronged him, and to have reconciled him to his Subjects; has now no power to dissolve this Rump of a Parliament, which will not be reconciled to him: He, who before, so often called his truly Loyal Subjects, Undutiful, Seditious and Vipers: (terms unusual in Princes:) Shall hear himself called Tyrant, Murderer and Traytor, by his Implacable and Trayterous Subjects: He, who so often before gloried, he was only Accountable to God for all his Actions; Shall be now called to an Account by a Company of Miscreants, for Actions whereof they themselves were much more Guilty, and be sent to God to pass his Accounts there also.

For upon the 20th. of *January*, the King was Haled before this Assembly, where he was Charged of Treason, Tyranny and Murder, for raising War against the Parliament, and People of *England*: Tho its Evident, the Members seiz'd the Militia, the *Tower of London*, and Fleet, which Powers were inherent in the King; and
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thut him out of *Hull*, and granted Commissions for levying Soldiers, before the King set up his Standard at *Nottingham*: But admit the King did first raise Arms to have forced the Parliament, and first actually set up his Standard against them; and that was a *Crime*; yet was the Regicides Crime greater; who had forced the Parliament, and set up themselves instead of it.

The King, now too late, flies to the Laws of the Land for his Protection; Protests against the Jurisdiction of the Court, as established by no Legal Authority; and Declares his Life was not so Dear to him, as his Honour and Conscience, and the Laws and Liberties of his People; and that he will loose his Life rather then submit to such a Tyrannical Court. And at last, the King desired to be heard before the Lords and Commons, in some things which concerned the Peace of the Kingdom, and Liberty of the Subjects; but this too was denied: And so the 4th. day after this Appearance, *Bradshaw*, the President, gave Sentence upon him to loose his Head; all the Court, to the number of 67, owning it by standing up.

So that as King *John*, and his Son *Henry* the 3^d. lost all *Normandy*, and the greatest part of *Aquitain*, to the *French*, by endeavouring a more than Legal Jurisdiction over their Subjects, whereby they lost their Love and Obedience; so these two Princes, Father and Son, by raising Arbitrary Power over their Subjects, not only lost their Honour abroad, but with their own

Subjects : And for want of their Assistance, this King lost his Life : and suffered the *French* to grow so great, as to endanger the safety of their own Subjects, in the Realms of *England*, *Scotland* and *Ireland*.

I'll conclude this Story, with one, which a learned Gentleman who lived in those times, affirmed ; when the Duke of *Buckingham* was stabbed by *Felton*, 1628. the Earl of *Portland*, was then newly made Lord Treasurer ; and the King to manifest his Affection to the Duke, ordered the Treasurer to Issue out of the Exchequer, 30000 *l*. I think, for a solemn Funeral for the Duke ; but the Treasurer unwilling the King should be at so hateful an Expence, at a time, when the King was at War with *France* and *Spain* ; told the King that the Sum laid out in erecting a stately Tomb for the Duke, would be a more lasting Monument of his Favour, to the Duke, than a Funeral Expence, which would be but the work of a day, and soon forgot : The King assented, and several Patterns were brought, and what the King lik'd, the Treasurer disslik'd ; till at last the King pitched upon one which he said he would have ; but then the Treasurer said, Sir, *What will the World say, that you should be at such an Expence for a Favourite, when your Father has not a Stone to cover him* ; which strook the King, so, as he proceeded no farther in it. I remember (I think it was in 1669.) that the Commons voted 50000 *l*. for the Charge of taking up this King's Body, and solemn Funeral of it ; and to have a Monument

ment for it; but as if had been blasted by Fate, it was not done, King Charles his Son they say, forbidding it.

As to the state of the Nation, in reference to our foreign Neighbour Nations, at the Death of King Charles, we shall find the Dutch making their Advantage of the English Dissentions; as before they did of the Easy and Remiss Nature of King James, when in the year 1618, they Seized upon the Island of Amboyna, and expelled the English thence, To say no worse: For Sir William Courten and Sir Paul Pyndar, at the desire of King Charles, had fitted out two Ships Fraught with our Native Commodities to endeavour an Establishment of a Trade to China, where our Cloaths were much more useful than in the Trade to the East-Indies, where the Trade is carried on in the Torrid Zone, and so our Cloaths of little use; whereas the North and middle parts China, are either Cold or Temperate, and so our Cloaths of great use there, and desirable by the Natives. At this time the English had no East-India Company, but the Trade was Free to the English, as that to Spain then was and so now is; nor was the East-India Company Incorporated till the Year 1657. by Oliver Cromwell. The Ships which Sir William Courten, and Sir Paul Pyndar fitted and fraught out, wherein the Earl of Shrewsbury, and I have heard, the Earls of Northumberland and Warwick were concerned; one was called the *Bona Esperanza*, the other the *Henry Bonadventura*, which made a

more Hopeful Voyage to *China*, than can be expected to any Place in the *East-Indies*.

The *Dutch*, as Jealous of a Partner in the *East-India* Trade, as a Dotard is of a Fair Wife, the Pope of his Tripple Crown, or the King of *Spain* of his *West-Indies*; set out, without any Declaration of War, two Men of War, under the Command of one *Geland*, to intercept these Merchant Men, in the return of their Voyage homeward, and met with the *Bona Esperanza*, between *Goa* and *Maccas*, in the *Streights* of *Malacca*, and take her, with all her Cargo, and carry her to *Batavia*, and there (without any Legal Process) confiscate the Ship, and all her Lading; this was in the Year 1643. And also, the same Year, they seize the other Ship, the *Henry Adventura*, near the Island of *Mauritius*, which with all her Cargo, the *Dutch* seized, nor ever made any Restitution of either to this Day. How well King *Charles* the II. vindicated his Subjects herein, will hereafter appear; and how impossible it became, for the *English* to retrieve this Trade, after *Oliver* had Established the *East-India Company* Exclusive to all other *English* Men, is obvious to any Man; but what can't Queen-Money, and a Company of—— do?

It was now above Thirteen Years, since the *Dutch*, in the Year 1635. entertained the *English*, fled from *Laud* and *Wrens* Injunctions, whereby they acquired the Art of making the Woollen Manufactury of *Essex* and *Suffolk*, which before the *Dutch* knew not; and the Wars in England
break-

breaking out, the *English* did not so fully supply the Countreys, within the *Sound* as before; and then the *Dutch* were rather Interlopers, than Competitors in the Trade of Woollen Manufactures to those Countreys.

This want of supply put the *Silesians* and *Polanders* upon a Necessity of being supplied other ways; and making a Verrue of Necessity, got Artificers to instruct the Natives of *Silesia*, and the Western Parts of *Poland*, by compounding the Woolls of *Poland* and *Silesia*, to make a course sort of Cloathes, called *Slesys*, which clad the poorer and ordinary sort of the Inhabitants, whereby the *English* to this day have lost the Trade of course Cloaths to these Places, which before they solely enjoyed. This was one Reason that the *Dutch* became Competitors with the *English* in the other Trades, for Woollen Manufactures within the *Sound*.

For tho the *English* Manufactures, were much better, and could be sold cheaper than the *Dutch*; yet the *Dutch* Navigation for Foreign vent, was manifoldly cheaper, and more convenient than the *English*; in regard, of the conveniency of their Building Ships proper for all Trades, which the *English* understand not; for a *Dutch* Vessel of like Dimensions, besides the convenience of Building, is built near half cheaper than the *English* can; and then is Navigated with less than two thirds of the Hands.

To this cheapness of Shipping and Navigation, is added the Advantage the *Dutch* have above the *English*, in compounding Freights in this

Navigation; for all the Countreys within the *Sound* stand in need of Salt, and cover Drinking Wines and Brandy: These the *Dutch* not only Import, by the cheapness of Navigation, cheaper than the *English* can; but paying little or no Customs upon their Importation, can vend them so much cheaper in their Trades into the *Sound*, as their Navigation is cheaper, and the *English* Customs are more: So that if the Navigation of the *English* be double dearer, when Ships of like Dimensions be full fraught; then if a *Dutch* Ship be full Fraught, and an *English* but half Fraught, the *English* becomes four-fold dearer; and this became so much more to the *English*, by how much the *English* Freights were less after the *Silesians* and *Poles* had got the Art of making *Slesys*; from thence it followed, that the *English* (by reason of the dearness of their Navigation) could not sell their Cloathes so cheap, but the *Dutch* became Competitors with them, having learnt the art of making Cloaths from those which fled into *Holland* to avoid *Lauds* and *Wren's* Persecutions, in not complying with their Ecclesiastical Injunctions.

This Year 1648, at the Treaty of *Munster*, a Peace was made between the King of *Spain*, and the *States of the United Netherlands*, wherein they were Declared *Free States*; and so had as Free a Trade with *Spain*, as the *English*; so that though the *English* upon the Matter had had the sole Trade to *Spain* Exclusive to the *Dutch*, for near Forty five Years; now the *Dutch* were

were Competitors in it with the *English*, as well as that into the *Sound*, with Woollen Manufactures.

In this Treaty too, a Peace was made between the Empire and the *Swede*, so much to the Advantage of the Protestants, that the Popes Nuntio protested against it; yet the *Electors Palatine* must be content with half his Country, the upper *Palatinate* being given to the Duke of *Bavaria* (Head of the Catholick League against the Protestants) who is made a Seventh *Electors*.

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A
DETECTION
OF THE
Court and State
OF
ENGLAND
DURING
The Four last Reigns,
AND THE
INTER-REGNUM.

Consisting of
Private Memoirs, &c.
With Observations and Reflections.

ALSO AN
A P P E N D I X
DISCOVERING
The Present State of the Nation.

Vol. II.

By *ROGER COKE*, Esquire.

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A Detection of Affairs during the *Interregnum* ; or in the Interval between the Death of King *Charles I.* and the Restoration of King *Charles II.*

B O O K III.

C H A P. I.

Of the Administration of Affairs by the Rump Parliament.

FAITH, Truth and Piety, are rarely found in Men who follow Camps : The Army, who in their Remonstrance would have the Parliament Dissolved, and another Called, which might settle the Nation : Now they had got the Rump to be their Head, whereby they may share the Church, Crown-Lands, and Delinquents Estates among themselves, regard neither Parliament nor Nation ; and sure never was there such a Generation of Hypocrites, who so impudently outbraved Truth and all that may be called Sacred : If you could force a Belief into them, they first told you they fought for King and Parliament, then they declared for the King and People

against the Parliament; and now they have murdered the King, if you will have any Benefit of their Protection, you must engage to their Government, without King or House of Lords, and be content with a Piece of the Commons, called the *Rump*.

Not content with the Murder of the King, they proceed to murder Monarchy, and place the Original Power of Government in the People, whose Representatives they are, if you'll take their Word; and Voted it High Treason, to Restore Monarchy, or to Assist, or Pray for *Charles Stuart*, or any of that Line; overthrow the King's Statue, with an *Exit Tyrannus Regum ultimus*: Nor are they satiated with the Blood of the King, but erect another High Court of Injustice, whereof one *Lisle*, an Ignorant Fellow, was President; who Condemns the Marquis *Hamilton*, Earl of *Holland*, and Lord *Capel*, for raising Arms against the Parliament, which themselves had destroy'd.

But though the Rump and Army were Established upon these accursed Principles, yet being the Instruments of Divine Vengeance, like a Torrent broke loose from raging Seas, in less than Five Years time, they overwhelm not only *England*, but *Ireland* and *Scotland*, almost pull'd the *Dutch States* up by the Roots, and made *France* and *Spain* tremble: But that we may observe what followed, let's see what went before.

The *Scots* were the first who Invaded *England* against the King, to Impose their Solemn League and Covenant, which was more against the *English* Laws and Constitutions, than *Land's Service-Book*, *Canons*, and *High Commission*, were against the

the *Scotish*. In *July* last, the *Scots* Invaded *England*, Commanded by the Marquis *Hamilton*: In *August*, *Cromwell* Routs, and utterly Overthrows this Army, and takes *Hamilton* Prisoner; so the *Scots* who began these Wars first, are the first Chastised by this *English* Army: But this is but the Earnest of what shall follow.

The Secluded Members who first joined the *Scots*, beginning first with an equivocal Protestation; but after down-right joined with the *Scots* in their Covenant, are now, not only turned out of the House by the Rump, but kept in nasty Prisons, till they became as little Dangerous, as the House of Lords.

The Horrid *Irish* Massacre and Rebellion succeeded in the Third place; and now the Rump having established themselves, by Subduing of the *Scots* under *Hamilton*, and Deposing the Secluded Members, are laying Rods in Piss to Scourge these Abominable *Irish*: But before we proceed, let's see how things stood in *Ireland*.

In *October* 1641, the *Irish* Massacre was, which succeeded in a Rebellion, in which *Richlieu's* Scarlet was as deep dyed, as in the *Scotish* and *English* Commotions: The Head of this accursed Crew, was *John Baptista Pennuncio*, the Pope's Nuncio, who in his Passage through *France*, threatned he would suffer no Man to live in *Ireland*, that wished well to the King, or to the *English* Affairs; thus you see how all the Factions Conspired against the King, the Laws and Constitutions of *England*; But for these last Seven Years, viz. so long as the Distractions were continued in *England*, the War was pursued but by Halves in *Ireland*.

King *Charles* in his Lifetime, had made the Marquis of *Ormond*, Lieutenant of *Ireland*, who in 1643, made a Truce with the *Irish*, that the King might make use of the *English* in *England*: But the *Irish* kept their Faith no better in it, than the *Scots* had before with the King in the Peace in 1639. For on a sudden they rise against the Marquis, now the *English* are sent into *England*, and had surprized him, if he had not been informed before, and escaped into *Dublin*; and being in no Condition to defend it, but obliged to deliver it up either to the *English* sent by the Parliament, or to the *Irish*, he gave it up to the *English*; who made Colonel *Jones* Governour, and so *Ormond* leaves *Ireland*.

After the Marquis was withdrawn, the *Nuncio* behaved himself (like a Church-man) with such a despotical Tyranny, that he became Intolerable, even to the *Irish* themselves; who being Piest by *Jones*, *Coot* and *Monck*, combine in a Body, and send to the Queen and the Prince of *Wales*, (for then the King was close Prisoner in the Isle of *Wight*) to return the Marquis of *Ormond*, and they would submit to his Authority, and joyn to expell the *Scots* and *Parliaments* Forces: The *Nuncio* taking this for an Affront to his Authority, (being that of the *Apostolick* See, which is Infallible) threatens Excommunication to those who should not obey him; but neither he nor his Excommunication were obey'd, but was forced to Capitulate with the *Irish* themselves, to procure his Departure, which was as Shameful as his Entrance was Proud and Insolent.

Upon

Upon the Marquis's Return, he entred into most dishonourable Articles with the *Irish*, which yet would not please *Owen Ro Oneal*, who joyned with the Parliament's Forces, and Relieved *London-Derry*, then Besieged by the Lord *Ardes*.

After this Pacification with the *Irish*, such as it was, *Ormond* raises a numerous Army, and by my Lord *Inchiqueen*, Routs a Party of *Jones's* going to *Drogheda*, and takes the Town, and *Dundalk*, *Green-Castle*, *Newry* and *Trim*; and returns Victorious to the Marquis: Hereupon the Marquis Besieges *Dublin*, but unfortunately sends my Lord *Inchiqueen* into *Munster*, with, if not the greatest, the best Part of the Army, *Jones* falls upon the Remainder, and utterly Routs them; this was in *August* 1649. And the same Month *Cromwell* Lands at *Dublin* with an Army of 15000 Old Soldiers.

Upon this Disaster, the *Irish* no more to be reconciled to the *English*, than the *Scotch* Covenanters to Episcopacy, quarrel with the Marquis, which was never after Composed: So the Marquis left *Ireland* again, leaving the Earl of *Clanrickard* Deputy.

Cromwell after his Landing, first Storms *Drogheda*, or *Tredah*, with a most terrible Execution, and after in less than One Year, all *Ireland* upon the matter, is reduced to the Obedience of the *Rump*, who take dreadful Vengeance upon all the *Irish*, who could be found to have had any Hand in the Massacre of the *English*.

The King, *Charles II.* having lost *England* and *Ireland*, with all their Dependances, except the Isles of *Guersey*, *Jersey*, *Man* and *Scilly*, and the Plantations in *America*, which shall soon follow, set

up for *Scotland*, and makes the Marquis of *Montross*, his Commissioner, who having got together about 400 *Swedes*, *Danes*, *Poles* and *Germans*, Lands them at the *Wick of Cathness*, in *April 1650*, and takes *Dumbeath*: But *Lesly* having sent Major-General *Straughan*, with 300 choice Horse, he set upon this ill composed Body of *Montross*, and utterly Rout^s them; *Montross* fled, but was betrayed by the *Laird of Aston*, who had formerly served him.

The Covenanters, to shew their Clemency and Humility, bind the Marquis in a Chair planted backwards on a Cart, that all Men might see him; the Hang-man with his Hat on, riding before: And upon the 28th of *May*, 1650, by a Sentence pronounced the Day before by the Lord *Lowden*, was Hanged upon a Gibbet 30 Foot high, at the Cross of *Edenburg*, for Three Hours; after which, he was Quartered, and his Head set upon the *Talbooth*, and his Legs and Arms, over the Gates of *Sterlin*, *Glasgow*, *Dundee* and *Aberdeen*: But see the Piety and Commiseration of these humble Saints, they Order in the Sentence, that if he Repented, so that his Excommunication should be taken off, the Trunk of his Body should be Buried in the *Grey-Friars*; otherwise, in the *Burrough Moor*: But Vengeance shall soon overtake these abominable Hypocrites.

For the Kirk sore Afflicted for their Deposed Brethren in *England*, now in nasty Prisons, whereby Heresie, Schism, and Profaneness raged, and the Throne of Presbytery was Defaced, but being unable of themselves to restore their Brethren, before *Montross's* Death, had agreed to have the King Proclaimed King of *Scotland*, *England*, *France* and *Ireland*; yet so as to take the Solemn League and Covenant,

Covenant, to give Signs of Sorrow and Repentance for his Father and Mother's Sins, and banish and turn out of his Court, all who had not taken the Covenant, or taken up Arms for his Father: But the Kirk could not have found a Plant so unlikely to produce the Fruit of Repentance, or to establish their Godly Throne of Presbytery. However, they'll try what's to be done, and to this end, send Commissioners to Treat with the King at *Jersey*, not yet reduced by the Rump: And a Treaty is agreed to, to be at *Breda*, in *Holland*.

The King was perplexed what to do; for to be a King in Fact, he desired above all things: But to forsake his Mother, and Father's Friends, was grievous to him, and to come to the Stool of Repentance, full sore against his Will: Yet to be a King, as a Man does for a Wife, he forsakes Father, Mother, and his dearly Beloved Friends, and comes to *Breda*; there the News comes of *Montross's* Tragical Defeat and Execution, which had like to have spoiled all; but over Shooes, over Boots, on he goes, having submitted to all the rigid Terms the Kirk-men Imposed upon him: And in *June*, 1650, arrives in *Scotland*, to be anew instructed in the Discipline of the Kirk.

The Rump in the mean while, were not Idle, you must think, for having spued up Presbytery in *England*, they scorned to chew the Cud of it from *Scotland*; and therefore *Fairfax* having refused to Command an Army against the *Scots*, they send for *Cromwell* out of *Ireland*, by this time as good as reduced by him, and declared him General of all the Forces of *England*, *Scotland* and *Ireland*; who about the latter end of *June*, 1650, enters *Scotland*,

with a well Disciplined, rather than a Numerous Army, and having taken many Places of small Moment, and often beat the Scots in Skirmishes, upon the 3^d of September, utterly Overthrows the much more numerous Kirk-Army at *Dumbar*, Commanded by their Old General *Lesley*; 3000 Scots Killed, 9000 taken Prisoners, all their Baggage and Ammunition, and above Two Hundred Colours, which as Trophies, were hung up in *Westminster-Hall*, where the *English* and Scots, had before taken such Pains and Care to Unite both Nations in their Solemn League and Covenant.

Whilst these things were doing, the Kirk at *Edenburg*, were at Prayer and Prophecie, hourly expecting the Feet of those which should bring the glad Tydings which were at Hand; when *Lesley*, the same Day, brings Tydings of their utter Overthrow: Now was all their Joy turned to Lamentation and Woe, and the Songs of *Sion*, are like to be sung in a strange Land.

To augment these Miseries, the King, who could not submit to the rigid Discipline of the Kirk, runs from *Schole*, to the House of the Lord *Dippon*, intending for the *Highlands*, where he might go to *Schole* with more Liberty: Now all is in an *Hurle-burley*: After the King, runs *Montgomery* from the Kirk, promising the King, if he would return, the Kirk would remit part of their Discipline; upon which the King returned to *St. Johnstons*.

The King thus returned, did not please the Kirkmen, for being beaten by the *English*, they rail against those who called the King in too hastily, before he had given certain Marks of his Repentance and Conversion to God; and that it was not
Lawful

Lawful for any who were truly Godly, to take up Arms for him; and for the Advancement of the Kirk, make *Kerr* and *Straughan*, Generals of the Kirk Forces. But *Straughan* runs to *Cromwell*, and *Kerr* is utterly Defeated, Wounded, and taken by *Lambert*.

The Kirk Party now lose their Reputation; they had nothing left, but to Preach and Pray, and Rail; and now the Parliament and general Assembly, take in all who will take the Covenant, but all to no purpose.

For *Cromwell* having taken *Edenburg*, Town and Castle, *Jedworth*, *Reslan* and *Tantallon* Castle, sends *Overton* and *Lambert*, in Boats over the *Friish*, who rout Sir *John Brown*, and Major-General *Holborn*, kill 2000 of their Men, and take 1200 Prisoners, and *Brown* himself, with 42 Colours.

Now, though *Scotland* were a cold Climate, 'twas too hot to hold the King and his Army, and therefore with them, he slips into *England*, by the way of *Carlisle*, leaving the Kirk in Lamentations and Woes, that Heresie and Schism had overspread the Beauty of Holiness, now Profaneness and Superstition had left it.

Harrison and *Lambert* followed the King, and *Cromwell* soon after, who at *Worcester* (that Day Twelve Month, after he had routed the Scots at *Dunbar*) utterly again routs the Scots and English, kills 3550, with Duke *Hamilton* and General *Forbes*, and takes 5000 Prisoners, with the Earls of *Rothes*, *Kanwarth*, *Kelly*, the Lord *Sinclaire*, and *Montgomery*, General of the Ordinance; and soon after, *David Lesley*, (who fought not, or but little in the Battel) is routed by *Lilburn*, and taken Prisoner, with

with *Lauderdale* (who held Correspondence in *England* with the Covenanted *Scots*) and the Lords *Kenmore* and *Middleton*: Yet the King by a Miracle, escaped to be restored King *Charles II.*

When *Cromwell* came into *England*, he left *Monck* to Command in *Scotland*, who Besieges and takes *Sterlin-Castle* by Surrender, with all the Guns, Ammunition and Arms, Money, Jewels, and the Registers transferred from *Edenburg* thither, and quite Defaced the lofty Inscription.

——— *Nobis hac invicta dedere,*
Centum sex Proavi.———

About this time Old General *Lesley* was raising an Army in *Pearthshire*, *Monck* sends *Morgan* to prevent it; who surprised them, and takes *Lesley*, the Earls of *Craford* and *Lindsey*; the Lord *Ogilby*, and many other Prisoners: And after, takes *Dumfrise*.

At this time *Monck* Besieges and takes *Dundee* by Storm, with as terrible an Execution, as *Cromwell* the Year before had done at *Tredah*: Here it was, and at *Sterlin-Castle*, the *Scots* had lodged all their Plunder and Money they had got in *England*, which was so plentiful, that the English Common Soldiers shared Money by Hatfuls: The Terror of this Success frightened *Aberdeen*, and all the other Towns in *Scotland*, into Obedience; nor did it stay here, but all the Isles of *Orchades* and *Shetland*, submitted; which neither *Roman* nor *English* Force, could ever accomplish.

Now the Kirk Party are all in Yelling and Woes, Herefie and Schism, had overspread the beauntious Discipline of Reformation: Now they cannot persecute

secute other Men, they exclaim and cry out they are Persecuted themselves: Their Nobles (except *Argile*) which are not killed, are committed to Prison, that they might share in the Tribulations, as well as Triumphs of their dear Brethren in *England*.

Now the Rump change the Fabrick of the *Scottish* Government, and make Itinerant Judges, part *Scots*, part *English*, and make a Council of State of that Medley; yet allow them 30 Commissioners to Sit and Vote in their Parliament at *Westminster*, so that though the Crown of *Scotland* were Independent upon the Crown of *England*, yet *Scotland*, as well as *Ireland* and *England*, must depend upon the Rump: And that the *Scots* may be the more tamely ridden, they are denied Arms, and even Horses, unless on necessary Occasions.

Thus ends the Year 1651, in the compleat Reduction of *Scotland*, as well as *Ireland*: But this next Year, the *Rump* quarrel with their Brethren, the States of the United *Netherlands*, and send for *Monck* to join with *Blake* and *Dean*, to Command at Sea against the *Dutch*: The Quarrel arose from the *Dutch* refusing to enter into a Coalition with the *Rump*, and to strike Sail to the *Rump's* Flag: And this Year 1652, there were Three Fights at Sea between the *English* and *Dutch*: The first was *May 19.* when *Van Trump* having near Treble the Men of War, the *English* Commanded by *Blake* had, they Fight near the *Downs*, where *Blake* was forced to Retreat. But *Van Trump* going to fetch home the *French* Fleet, the *Rump* with admirable Expedition, repair their shattered Ships, and fit up others: But before *Trump's* Return, *Askew* Fights a Squadron of *Dutch* Men of War on the Coast of *Plimouth*,

Plimouth, and routs, takes and sinks the greatest part of them. This was the 16th of *August*; and *Blake* having fitted up his Fleet, encounters *Van Trump* off *Portland*, September the 28th, and gave the *Dutch* so great an Overthrow, as no Age, except the Fight at *Lepanto*, ever mentioned: But the *English* had not the like Success in the *Streights*, where a Squadron Commanded by Captain *Bodelow*, being forced out of *Leghorn*, were beaten by the Young *Van Trump*; yet the Bravery of the *English*, never appeared more than after this Action: For *Trump* having taken the *Garland Frigot* from the *English*, a Crew of them in Long-boats, in the Harbour of *Leghorn*, Boards her, and brings her off; *Trump* escaping out by the Port-holes: And if the *Rump* had sat One Year longer, it's believed they had torn the *Dutch* States up by the Roots.

The *Rump* having thus in less than Five Years time, and by a Name *Independent*, not known in Government Five Years before, done such Wonders against *England*, *Ireland*, *Scotland* and the *Dutch*; make incredible Preparations, totally to subdue the *Dutch*, as well as *English*, *Scots* and *Irish*; when by a Wonder equal to all their Victories, they were upon the 20th of *April* 1653, turned out of Doors by *Cromwell*, and not a Sword drawn in their Defence.

But the *Rump* were more Fortunate in War, than Wise in Counsel; for they were the first that contrived the Act of Navigation, which because it was the Second Step to the *French* Grandeur by Sea, viz. to that of King *Charles's* and the *Dutch* subduing the *Rocheller's* Fleet at Sea; and that 'tis this Act which hath Impowered the *French* to establish

lish such a vast Fishery in the *New-found-Land*, and to *Green-Land*, We will therefore be more particular in it. And here I shall consider the Nature of Man, the *English Country*, and the End for which Humane Laws are Ordained.

1. Man is the most Impotent Creature of all others in his Infancy ; and in his most perfect State, can neither Feed, Cloath or Provide himself an Habitation without the Help of another : He hath scarce any thing of his own, but what he hath from another ; yet if he takes any thing from another without the Consent of the other, this is a Crime and an Injury to that other : Nor is any Man born for himself alone, but to be helpful to another ; yet how to be helpful to another, is not innate or conatural, but is acquired by Education, Learning, and Experience ; and the Youth of Man, which is the Third of his Age, is designed by Nature, how he may be instructed to be helpful and aiding, to supply another with things which this other wants ; and hereby Humane Sociéty, out of which no Man lives, is maintained.

2. Though God has made all things for the Use of Man, yet few things are useful to Man, but as they are prepared by Humane Art and Industry : God never made an House, Ship, Cloath, &c. Nor do these, or any Art or Science come to pass by Fate, Inspiration or Chance : *England* is enriched with a Coast, out of which, our Neighbour Nation founds its Original and Greatness in Naval Power ; and in the Bowels of *England* are found Mines of inestimable Value, for Humane Use and Conveniency ; as *Lead*, *Tin*, *Fullers* and *Potters Earth*, which this Nation furnishes other Nations with, to their enriching ;

riching; whereas the *English* cannot make a Tinplate, or any Earthen Ware of any Value, made of our Earth and Lead: And though *England* and *Ireland* abound with better Wools for Cloth than any other Nation, yet we neither knew how to make Cloaths, but as instructed by others; and now we can make them, yet if other Nations could get our Wools, though dearer, they would make Cloaths cheaper and better: Yet the Natives of *England* are of more strong and lively Constitutions than others, and of as good Parts; so that 'tis the Barbarity of our Constitution, which entitles other Nations to the Benefit of Improving those inestimable Benefits, with which God has enriched this Nation by Sea and Land: And yet to this Day, I never heard that any Parliament took these things into their Consideration.

The Fish caught upon the Coasts of *England*, *Scotland* and *Ireland*, are manifoldly more than will supply these Nations for Food; so the Wools of *England* and *Ireland*, and the Lead, Tin, Fullers and Potters Earth in *England*, are manifoldly more than will supply these Nations: And therefore Wise Nature, who never acts in vain, hath endowed this Nation with all these Excellencies above any other, that it might better than any other, entertain Society and Commerce with other Nations.

And as if Nature had a more particular Kindness for these Nations than any other, God hath given them more and better Ports to supply the other Parts of the World with these Commodities, than can be found in any other in the World, in like Distances: Add to these, that *England* and *Ireland* too, would maintain Fourfold more People than

than inhabit in them, yet by the Ignorance or Barbarity, or both, of our Laws, the Noble Prerogatives, which God and Nature have endued these Nations with, are rendred almost useless to them. ¶

For the Dominion of Princes and States, are founded in the Numbers of their Subjects, but with this Difference, that where People are few in Proportion to the Country, they are Poor, Idle, Heathenish, and of little Benefit to the Government ; as in *Spain*, *Turkey*, *Lapland*, &c. But where People are plentiful in Proportion to their Country, as in *Holland*, and *France*, till the Persecution, they become Civil and Industrious, and by Conversation and Business, increase Arts, whereby they become Rich and Useful to their Governments: So that though it may be *Spain* is an Hundred fold greater than *Holland*, and perhaps has Twenty fold more People in it, yet *Holland* is much more Considerable in Wealth and Riches than *Spain*: And though *England* could maintain Four fold more People, and that daily Multitudes of People forsake *England*, to People *Ireland* and our Plantations, yet the Law against Naturalization of Foreigners, denies the Nation a Supply elsewhere.

And as the Numbers of People are the Original of the Strength of any Nation, so they are of Industry, Arts and Riches ; so that though *Spain* has many Principles for Trade, and has Yearly several Millions of Money and Plate brought into it, and that it is Capital to Export it, yet *Holland*, which has no Principles of Trade, and Money freely Exported, is much more Rich than *Spain*.

For from the Imployment of People arises the Benefit and Enriching of every Place : As suppose a
Million

riching; whereas the *English* cannot make a Tin-plate, or any Earthen Ware of any Value, made of our Earth and Lead: And though *England* and *Ireland* abound with better Wools for Cloth than any other Nation, yet we neither knew how to make Cloaths, but as instructed by others; and now we can make them, yet if other Nations could get our Wools, though dearer, they would make Cloaths cheaper and better: Yet the Natives of *England* are of more strong and lively Constitutions than others, and of as good Parts; so that 'tis the Barbarity of our Constitution, which entitles other Nations to the Benefit of Improving those inestimable Benefits, with which God has enriched this Nation by Sea and Land: And yet to this Day, I never heard that any Parliament took these things into their Consideration.

The Fish caught upon the Coasts of *England*, *Scotland* and *Ireland*, are manifoldly more than will supply these Nations for Food; so the Wools of *England* and *Ireland*, and the Lead, Tin, Fullers and Potters Earth in *England*, are manifoldly more than will supply these Nations: And therefore Wise Nature, who never acts in vain, hath endowed this Nation with all these Excellencies above any other, that it might better than any other, entertain Society and Commerce with other Nations.

And as if Nature had a more particular Kindness for these Nations than any other, God hath given them more and better Ports to supply the other Parts of the World with these Commodities, than can be found in any other in the World, in like Distances: Add to these, that *England* and *Ireland* too, would maintain Fourfold more People than

than inhabit in them, yet by the Ignorance or Barbarity, or both, of our Laws, the Noble Prerogatives, which God and Nature have endued these Nations with, are rendred almost useleſs to them. ¶

For the Dominion of Princes and States, are founded in the Numbers of their Subjects, but with this Difference, that where People are few in Proportion to the Country, they are Poor, Idle, Heatheniſh, and of little Benefit to the Government; as in *Spain*, *Turkey*, *Lapland*, &c. But where People are plentiful in Proportion to their Country, as in *Holland*, and *France*, till the Perſecution, they become Civil and Induſtrious, and by Converſation and Buſineſs, increaſe Arts, whereby they become Rich and Uſeful to their Governments: So that though it may be *Spain* is an Hundred fold greater than *Holland*, and perhaps has Twenty fold more People in it, yet *Holland* is much more Conſiderable in Wealth and Riches than *Spain*: And though *England* could maintain Four fold more People, and that daily Multitudes of People forſake *England*, to People *Ireland* and our Plantations, yet the Law againſt Naturalization of Foreigners, denies the Nation a Supply elſewhere.

And as the Numbers of People are the Original of the Strength of any Nation, ſo they are of Induſtry, Arts and Riches; ſo that though *Spain* has many Principles for Trade, and has Yearly ſeveral Millions of Money and Plate brought into it, and that it is Capital to Export it, yet *Holland*, which has no Principles of Trade, and Money freely Exported, is much more Rich than *Spain*.

For from the Imployment of People ariſes the Benefit and Enriching of every Place: As ſuppoſe a Million

Million of People in any Place, earn one with another, 20 *l. per Annum*, this will amount to Twenty Millions; and if one Fourth be vended in Foreign Parts, Five Millions will so much Enrich the Place, and the other Three Parts, be so much a Benefit to that Place; whereas if this Million of People were not Employed, they might be Ten Millions Burden to the Place: From whence it is that the People of *Spain* being thin, and not Employed, all the Riches the King of *Spain* brings from the *West-Indies*, cannot support the Burden of the not Employed People, and pay for the Manufactures which the *Dutch*, *French*, *English*, *Hamburgers*, *Danes* and *Sweeds*, supply *Spain*.

We have no Treasure in *England* but what we acquire by Foreign Trade, nor any Foreign Trade, but by Navigation; and in all our Foreign Trades, except the Product of our Plantations; the *Dutch*, *French*, and *Venetians*, are Competitors with us: To tax therefore, or to restrain the Foreign Trades of the Nation, which arise by the Employment of the People, besides the Loss of what the Nation might otherwise have acquired, is manifoldly more Injurious, than Theft or Robbery.

Here consider the Difference between a Land-tax, and Taxing Foreign Trade, which depends upon the Employment of the People; for the Land-tax proceeds no farther than the Money raised by such a Tax, the Residue remains clear to the Owner; whereas if Foreign Trade, which depends upon the Employment of People, be Taxed so, as that another Nation can Sell but One *per Cent.* cheaper, this other Nation may gain the whole Trade, and the Navigation that depends upon it. In Robberies

beries particular Men lose only so much as is taken from them; but in Taxing or Restraining Foreign Trade, which depends upon the Employment of People, so as another Nation gets the Trade; infinite Numbers of People lose Riches which they might have acquired, but by the not Employment of these People, they become a Charge and Burden to the Nation. I say the Act of Navigation, does not only Tax the Trades of the Nation, which depend upon the Employment of the People, manifoldly more than Two per Cent, whereby the *Dutch* have become Competitors with us in the Trades to the *Sound* and *Hamburg*, but by it, as we have elsewhere shewed, it has eternally fixed the Foreign Fishing-trade upon the Coast of *England* and *Scotland*; and the Foreign Fishing-trades of *Green-land*, *Island*, and *Westmony*, upon the *Dutch* and *Hamburgers*: It hath upon the matter, fixed the *Norway* Trade upon the *Norwegians*, to the loss of above 2000000 l. to the *English*: It hath lost the *English* the Manufactures of Cordage, Sails, and Nets, to the Loss of above Twenty Millions to the Nation, besides the Employment of the Natives, and indangering the Safety of the Nation; and therefore here we will not repeat these again.

If the *Rump* had considered that Navigation is the Mean, by which we vend the Manufactures of the Nation, and the Product of our Plantations in Foreign Trade, they would not have destroy'd the many good Laws (which we shewed) for the Preservation of our Timber, without which we can have no Navigation; and because our Timber is not so convenient for Building Merchants Ships, and the *English* few, and understand not how to Build Ships

for Trade, so conveniently as other Nations, therefore to restrain all our Foreign Trades, and their Returns, only to be in *English* built Ships, and Sailed by Three Quarters *English*, is such Rumpish Logick, as I never desire to be Conversant in.

To be a little Particular herein, the *Dutch* Build and Fit up Vessels of like Dimensions with the *English*, for One Half, or at least Two Thirds cheaper than the *English* can, for all Trades, but more especially in the Fishing-trades upon the Coasts of *Scotland*, *England* and *Greenland*, and to *Norway*, and all the Kingdoms and Countries within the *Sound*; and these are Built so conveniently for these Trades, that of Ships or Vessels of like Dimensions, a *Dutch* shall carry at least One Sixth more than an *English*; and when this is done, a *Dutch* shall be Sailed by near Half the Hands an *English* Ship shall; so that take all together, a *Dutch*-built Vessel in all these Trades, is not at Half the Charge as the *English* are at.

But these are not all the Mischiefs this Law has brought upon the *English* in point of Navigation, for the *Dutch* by reason of the Cheapness and Convenience of their Navigation, besides the Fish caught upon the Coasts of *England*, *Scotland* and *Greenland*, Import Wine, Salt and Brandy's, not only cheaper than the *English* can, but upon their Export the *Dutch* pay little or no Duties; whereas all these Imported into *England*, besides the Dearness of Navigation, pay above Twentyfold more than the *Dutch*, whereby the *English* are necessitated to consume all these in *England*, or their Plantations.

The *Dutch* in all their Trades to *Norway*, the Countries within the *Sound*, and to *Muscovy* too,
Com-

Compound their Freights with these, so that all their Vessels Outward-bound, are full Fraught; but the *English* not near One Half Fraught Outward-bound; so that if the *English* Navigation be double as dear as the *Dutch*, when both are full Fraught, if the *English* be but Half and the *Dutch* full, the *English* Navigation is Fourfold dearer, and so proportionably infinite.

Here let's see how our *English* Laws further contribute to the Advantage of the *Dutch*, and Prejudice to the *English* in Compounding of Freights: If the *English* Export Tobacco's and Sugars, and other Products of our Plantations into *Holland*, they withdraw Half the Duties, whereby the *Dutch* having them cheaper than the *English*, besides the Cheapness of their Shipping, can Compound their Freights with these, cheaper than the *English*; and I submit to the Judgment of Customers and Merchants, if we do not Export more Tobacco's, Sugar's and other Product of our Plantations to *Holland*, than all the World besides; so that hereby, upon the matter we have only the Navigation to *Holland* in the Export; whereas the *Dutch* have it to *Hamburg*, *Norway*, *Muscovy* and all the Kingdoms and Countries within the *Sound*; and it may be to *Spain* and *Italy*, in their Export also, as much to the Increase of their Shipping and Navigation, as a Detriment to ours. And I have heard our Merchants complain, that in their Trades to *Spain*, the *Canaries*, *Italy*, and even *Turkey* too, the *Dutch* can undersell the *English*, even in the Woolen Manufactures which their Agents buy in *England*.

Nor is the *Dutch* Advantage above the *English* in the Returns and Import of their Trades, less
 D V B 4 than

than in their Export, by reason of the Cheapness of their Navigation and Compounding their Freights outwards : I'll give Instances only in the Returns from *Norway* and *Sweden*, with Pitch, Tar, Masts, and Timber ; and from *Dantzick*, *Prussia* and *Lief-land*, with Rough Hemp, and Flax ; where by a modest Computation, the *Dutch* Import these One Third Cheaper than the *English* can, as the Act of Navigation stands.

From whence it follows, that the *Norwegians* and *Swedes* have increased their Navigation above Twentyfold more to our Loss for Pitch, Tar, Raff, Deal and Timber, more than before the Act of Navigation : And the *English* not only Build their Ships dearer at a Forreign Expence, but in fitting up our Ships with Cordage and Sails, the Case is much worse with the *English* ; for the *Dutch* Importing Rough Hemp and Flax, so much Cheaper than the *English* can, and when these are wrought into the Manufactures of Cordage, Sails and Nets, for our Fishery too, these being of the Manufactures of *Holland*, may be Imported into *England*, Cheaper than 'tis possible for the *English* to work them. The Principles being so dearly Imported by the *English* ; whereby besides the Monies Exported for these, I may safely say we lose the Employment of above One Hundred Thousand Men, Women and Children in *England*.

Nor can this Mischief be prevented by Planting Hemp and Flax in *England*, as I conceive, so long as the Act of 33. H. 8. 17. which forbids the Curing of Hemp and Flax in running Streams is in Force : For when Hemp and Flax is intended to be cured in Pitch and standing Waters, these Poyson and Corrupt the Waters

Waters, so that the Hemp and Flax, come out of the Waters of a dirty Colour and Speckled; so that the Cordage and Sails made of them, will not take Tar; nor Cables endure a suddain Strein, but will be much more subject to break, than those made of Forreign Hemp: Besides, the Country People are posselt with an Opinion, that the watering Hemp and Flax in running Streams, will Poyson the Fish, I grant it does so; in standing Pits, where the Water is Poysoned by watering them: But that this is not so in running Streams, I know the contrary by my own certain Knowledge.

I have a Brother-in-Law who lives by the River *Waveny*; and I observing his Servants watered his Hemp in a Pit prepared for it; I told him that this watering spoyled the Hemp: For after the Water was tainted with the first Infusion from the Hemp, it could never after perfectly cure it; whereas if he watered it in the River, the succeeding Streams not being affected with the Tincture of the Hemp, the Hemp would thereby be perfectly cured.

I could not prevail upon him that Year; for besides the Law, he objected the Poysoning the Fish in the River: To that I answered, that held true only in standing, not in running Waters; nor would the Hemp in running Waters poyson them, though it make them a little bitterish: Next Year I prevailed upon him, and he watered his Hemp in the River, and when it was cured, he took it out all clean and no Specks upon it, and of all other Places of the River, the Fish gathered and fed there, more than in any other: So he and the Inhabitants thereabout have since continued it, being above Fourteen Years.

If it be objected, The Hemp and Flax watered in Rivers make the Water bitterish, and so may be hurtful to Cattle. I answer, Then the Cattle will not drink it: And I say, If it does so, Men may at that time of the Year, as well make Pits for their Cattle to drink, as make Pits to water Hemp and Flax.

The *Ratio Finalis*, or End for which Laws are made, are usually set down in the Preamble of other Acts of Parliament, whereas there is none in the Act of Navigation. On the contrary, the Rump were so hasty in making this Act, designed in Spight to the *Dutch*, that the Title of it is Absurd and Impossible, for the Title is, *An Act for Encouraging and Increasing of Shipping and Navigation*. It is impossible to encourage any Inanimated Body, as a Rump, Stock, Stone, Dead Horse, Ass, or Shipping: It's true, Men may be encouraged to increase Shipping and Navigation, but then it must be (I conceive) by one of these ways; either by giving Money or Rewards to those who build Ships; or by increasing Trade, by which these Ships may be more and better employed: And I do not find, that ever the Rump gave one Groat to encourage this Shipping and Navigation; and how this Act has increased the Fishing-Trade, or any other of our Trades, has been already shewed both here and elsewhere, and more shall be said hereafter.

Objection 1. But if the Act of Navigation had not restrained our English Trade to English-built Ships, and failed by three quarters *English*, we could not imploy any Shipping or Marriners in any of our Forreign Trade, except the *Newcastle Trade*, and
to

o our Plantations, and for Wines, Brandy, Currants, Raisins, Oyls, and other things which we consume among our selves.

Answer. This is talking at large, and the Fools Reasoning from one Extream to another, without ever coming to any Conclusion ; as if the loss of our Trades were the increasing our Navigation, which cannot be preserved or increased but by Trade: Was ever any Law made, but was Mischievous to one Sort of People or other; and therefore the Mischiefs and Inconveniencies on both sides are stated, and the Publick is preferred before the Private: And in regard our Trades consist of manifold Varieties, we will take them or many of them singly; and see how the Act of Navigation encourages Shipping and Navigation in them or any of them; and we'll begin at the Fishing Trade upon the Coasts of *England* and *Scotland*.

By the Fishing Trade upon the Coasts of *England* and *Scotland*, I do not mean the Trade for Red Herrings, which must be cured when new taken, and so cannot be by the *Dutch*; nor the North-Sea Trade for Cod-fish, which by imposing double Strangers-Duties upon it, this Fish imported by the *Dutch*, we consume among our selves: But of the Cod-fish and White Herrings, which the *Dutch* supply themselves with, and also *Flanders*, *Germany*, *France*, *Spain*, *Italy*, and other Countries, which is set forth by Sir *Walter Raleigh*, and Mr. *Tobias Gentleman*, wherein the *Dutch* employ many Hundred Thousand People of all sorts, Men, Women and Children; and if, since the Act of Navigation, we never built one Vessel for this Trade; or if we should, the Owners would necessarily loose all their Cost; then the Act

of Navigation has little encouraged Shipping and Navigation in this Trade.

But it may be Objected, The *Dutch* had this Trade before the Act of Navigation: And therefore though the *English* have got nothing by this Act in this Trade, yet they have lost nothing by it. Yes, I say the Rump have lost the Title of their Act: Yet sure it had been more Wisdom in the Rump, since the Cod-fish and Herring might have been more conveniently and better carried on by the *English* than the *Dutch*, to have enquired into the Causes; whereby the *Dutch* carry on this Trade exclusive to the *English*, and made this Trade as easie to the *English* as *Dutch*. But this never entred into the Rumps Thoughts.

But if we did not lose the Forreign Fishing Trade upon the Coasts of *England* and *Scotland* by the Act of Navigation, I say we have upon the Matter lost the Fishing Trades to *Island* and *Westmony* for Ling and Haberdine, which the *English* were only possess'd of before the Act of Navigation; and then the Town of *Alborough* employ'd 35 Barks, and sold 15 in this Trade: I do not find how many *Great Yarmouth*, *Wells* and *Lynn* employ'd in it; but this I find, that before the Act, *Great Yarmouth* yearly supplied *St. Valery*, *Deep*, *Roan*, *St. Malo's*, and other Parts of *France* with above One hundred and fifty Thousand Ling and Haberdine, for which they made Returns of Sails, Cordage and Nets for their Fisheries; and of late they vend none thither; and that I think the Town of *Alborough* sends none, if *Sir Henry Johnson* hath not in Charity built them one or two; nor is *Sould* in a better State. And this Injury is caused by the Act of Navigation, for
by

by reason of the Dearness of Pitch, Tar, Masts, Timber and Cordage, Nets and Sails, caused by this Act, which is felt by sad Experience, the *Dutch* interfered with the *English* in these Trades, whereby they have ruined all that Part of the Coast of *Norfolk* and *Suffolk*; and hereby I think the Rump have not much encouraged Shipping and Navigation.

And as like Causes will have like Effects; for as by reason of the Dearness of building and fitting up Ships, caused by the Act of Navigation for the Fishing Trade, we have upon the Matter lost the Trades to *Island* and *Westmony*; so have we (I believe) wholly lost the Fishing Trade to *Greenland*, for Whale-Oyl and Whale-Fins, which the *English* found out about the Twelfth of King *James* the First; and wherein the *Dutch* and *Hamburgers* imploy (I am assured) above Three hundred Sail of great Ships: And of late the *French* are become so Considerable in this Trade, that last Summer was Twelvemonth we took fourteen Sail of their Vessels in their returns from this Fishery. So I leave it to Mankind to judge, whether the Rump, by their Act of Navigation, hath encouraged Shipping and Navigation in our Fishing Trades.

To this almost Desolate State (which is the Greatest of God's Judgments upon Earth) has this Law reduced the Eastern Coast of *England*; and you'll soon see the Effects of this Law have been as Fatal to the Southern and Western Coasts of *England* as to the Eastern.

From the Fishing Trade we pass to the Trade to *Norway* for Pitch, Tar, Masts, Raff, Deal-boards and Timber, (where, though elsewhere we have treated largely and more particularly, yet it's fit

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we here give a touch of it) and if we never built one Ship for this Trade, that ever I heard of, nor ever shall so long as it stands in force to any Benefit to the Nation, then hath not the Act of Navigation much encouraged Shipping, and Navigation in this Trade: But if on the contrary this Law hath inabled them to increase their Navigation above twenty fold more than it was before the Act, to our loss; and that be the reason of the Dearness of these, which at a moderate Estimation amounts to 75000 *l. per Annum*, and a Forreign Expence more than the *English* need pay if this Trade were Free: And that this is a Principal Cause that the *English* have reduced all their Fishing Trades (except that of Red Herrings) to a Consumption at home; we have little reason to thank the Rump for their Act of Navigation.

As in the Trade to *Norway* the *English* never built one Ship, so neither have they to *Leisland* and *Prussia* for Rough Hemp, and Flax; so that by reason of the Dearness of this Navigation, the *Dutch* Import these at least one fourth Cheaper than the *English*; and the Inhabitants of these Countries do not Trade with us: And when these are made into Cordage, Nets and Sails, these being the Manufactures of *Holland*, it's Free for the *Dutch*, by the Act of Navigation, to Import them into *England*: So as it becomes impossible for the *English* to work them, so as to subsist by their Labours; whereby at a Moderate Estimation, the *English* are at 400000 *l. per Annum* Forreign Expence to buy these from the *French* and *Dutch*.

Suppose now we imploy Thirty Sail of our Dear and Inconvenient Ships in these two Trades, and in them

them 360 Seamen three Months in the Year, which might as well be imployed in the *Newcastle* Trade ; leave it to the Wisdom of the next House of Commons to consider, Whether it be the Interest of the Nation, to let the Trades to *Norway*, *Prussia* and *Leifland* be Free, whereby the Nation may save above 200000 *l. per Annum* Forreign Expence, and employ above 100000 People ; and have the Principles for building and fitting up Ships as Cheap as the *Dutch* ; or continue this Navigation for about three Months of the Year, and might otherwise be as well imployed.

Notwithstanding the Dearness of Masts, Pitch, Tar, Rough Hemp and Flax, caused by this Act, it obliges the *English* to Vessels English-built, which are built with English Timber, which has caused such a Scarcity of Oaken Timber in convenient distances, that besides the Dearness of it, I confidently say, the *English* generally pay more for the Carriage of Timber to Docks for building Vessels, than the *Dutch*, *Dane*, *Swede* and *French* do for their Timber.

To give an Instance or two herein, I have a Tenant in *Suffolk*, who contracted with the Shipwrights of *Ipswich* last Summer was Twelvemonth, for 17 *s. per Load* or Tun, for Carriage of their Timber to their Docks : And the same Year Captain *Frame* having contracted with the King to build three Third Rate Frigats at *Hull*, bought several Parcels of Timber in *Norfolk* and *Suffolk* twenty Miles from *Tarmouth* ; from whence they were carried to *Hull* by Water. More of this hath been said elsewhere, not only to the endangering the Navigation, but the Safety of the Nation.

Add

Add hereto, that though our English Oaken Timber be better than any other for building Ships of War, yet by reason of the Toughness of it, it's wrought with more Difficulty; and Vessels made of it, draw more Water than those of like Dimensions built of other Timber, and requires more Sails, Cordage, and greater Anchors, and are Sailed with more Hands: And these Vessels too must be English-built, *viz.* By English Men, who understand but one way of building Vessels, and too Wise to be instructed to build otherways: So that by the Inconveniencies of these Vessels in different Trades, the *English* labour under manifold more Inconveniencies in their Navigation, than the *Dutch* and *Hamburgers*, who build different sorts of Vessels fit for their different Navigation,

And as the English Navigation is restrained to English-built Ships by this wise Law, so are these Dear and Inconvenient Vessels to be sailed by three quarters *English* whether you can get them or not. I shall not say much herein, having said so much elsewhere; but this I say, That if Reasoning may be resolved into Wager, I'll lay a Hundred Pounds, that except *Tarmouth* and *Leistaff*, there is not one quarter of the Marriners and Vessels in the Fishing Trades we had before the Act, as are now left.

And sure, now it's more than time the King and Parliament would loose the Nation from the Fetters which this Act (made in haste and Spight against the *Dutch*, by a company of Usurpers and Regicides) hath put upon it; not only to our Loss, but as much to the Benefit of the *French* as well as *Dutch*: And I do say, that this Law has been more Injurious to the *English* Nation, than all the Injuries

juries it hath sustained from the *French* and *Dutch*; either in War or Peace; nor will it be possible for the Nation to repair the Losses sustained by it, but by repealing it.

C H A P. II.

A Continuation of this Treatise during the Usurpation of Oliver Cromwell.

IF all the Hypocrisie and Dissimulation of the Rump could be crowded into one Man, it might be found in this one *Oliver*; so unacquainted with Truth, that, unless to his own Creatures, he was only to be understood in Reverse. Never were Three Jaded Nations so tamely ridden by so Mean a Beggar.

It's true that sometimes this Nation hath changed their Kings to preserve its Liberties and Constitutions, but then it exalted one of the Blood-Royal (which is more than can be said of the *Caroline* and *Caphurian* Lines of *France*) to preserve them: Whereas this Fellow, uncalled by the Nation, but by an Army raised by his Master, twice deposed by him, overthrows the Laws, Liberties and Constitutions of the Nation, to make way for his Usurpation and Tyranny.

The first Manifesto which he published after the Dissolution of the Rump, was under the Title of *I Oliver, General of all the Forces in England, Scotland*

land and Ireland, by the Advice of the Officers of my Army. I confess I was stunn'd at the Arrogance of it; yet in this Tune he Whistled to 144 of his own Gang and Nomination (which was twelve fold more than the Tribes of *Israel*) to be the Representatives of the Nation; and upon these he tells them, He devolves the Supream Power of the Nation; yet allows them but six Months time to sit. This was the Fourth of July 1653.

This thing calls it self a Parliament too, and because *Praise-God Barebone* (a Leatherfeller) was a Famous Member in it, 'twas called *Barebone's* Parliament, which chose one *Rouse* to be their Speaker.

If all Memory of the *Old Babel* were lost, it might be found in the Babble of these Enthusiasticks; all their Prate was of making way for Christ's Monarchy upon Earth, which they were sure was not far off, now they were got together to meet him. They pronounce Priesthood, Popery; to Pay Tithes, Judaism; the Laws of *England*, Remains of the *Norman* Yoke; Schools and Colleges, Heathenish Seminaries of Curious and Vain Learning; Nobility and Honours, contrary to the Law of Nature and Christianity.

However, because *Oliver* had been so kind as to make them a Parliament, they, in return, will needs make him Protector of the Commonwealth of *England*, *Scotland* and *Ireland* (for King, Good Man, he would not be.) But Good Lord! How unwilling was he to take this uneasie Burden upon his willing Shoulders; yet at last, this Sanctified Assembly, the Officers of the Army, joyning with them, prevailed with him to accept it.

Yet,

Yet, least *Oliver* should go too far Astray, they tyed him up to an Instrument of Government of his own making, which *Oliver* regarded no more than he did *Magna Charta*, which he called *Magna Farta*; or *The Petition of Right*, which he called *The Petition of Shire*.

Oliver's Instrument of Government.

1. **T**hat the Supream Legislative Authority should be in a single Person and the People in Parliament; but the Administration thereof to be left in the Lord Protector and his Council, whereof the Number was not to be above Twenty and one.

2. That all Charters, Writs, Patents and Commissions, should be passed by the Protector: All Power of Magistracy, Honours and Titles, to be derived from him: Likewise the Pardon of all Offences, excepting Treason and Murder: He also to have the Administration of all things, with the Advice of his Council, and according to the Tenor of this Instrument.

3. That the Militia, during the sitting of the Parliament, should be in the Disposal of the Protector and Parliament, but in the Intervals in the Protector and his Council: The Power also of making Peace and War with Foreign Princes, to be in the Protector and his Council; but to have no Authority of repealing or making any Laws, without Consent in Parliament.

4. That the Parliament shall be called before the end of six Months then next ensuing, and afterwards once in three Years, and oftner if need require; And that it shall not be in the Power of the Protector to dissolve the same for the first five Months, without the Consent of the House.

5. That

5. That the Number of the Members of England shall consist of Four hundred elected according to an equal Distribution, for Scotland Thirty, and for Ireland the like Number ; the Number of each County and City to be also assigned.

6. That the calling of such a Parliament should be under the Seal of the Commonwealth, by Writs to the Sheriff in the Protector's Name ; But if the Protector shall not call the same within the times limited, then the Chancellor to do it under the Penalty of High Treason ; And if he should fail herein, then that the Sheriffs should perform it : And after such Election should be made, to be transmitted to the Chief Magistrate by Indenture to the Chancellor, signed with his Hand Twenty Days before the Sitting of the same Parliament : Also if the Sheriff or Mayor shall make a False Return, that he be Fined in Two thousand Marks.

7. That none should be capable to Elect, who had ever borne Arms against the Parliament, or been Actors in the Irish Rebellion : Nor that any Papist shall ever be capable to give his Voice : And that all Elections against these Rules should be void, and the Transgressors fined at two Years Value of their Revenues, and a third part of their Goods.

8. That no Person under the Age of Twenty one Years should be capable of being Elected, nor any other than of known Credit, Fearing God, and of Good Behaviour.

9. No Man likewise to have Power of Electing, whose Estate should not be worth Twenty Pound per Ann. Sterling.

10. That the Return of Persons elected, should be transmitted by the Prothonotary in Chancery to the Council of State, within two days after they should come into

his Hands, to the end that Judgment might be made of the Persons, if any Question should arise touching the Lawfulness of the Choice.

11. That Sixty Members should be accounted a Parliament, in case the rest be absent: Nevertheless it shall be Lawful to call a Parliament when he shall see Cause.

12. That Bills agreed on in Parliament should be presented to the Protector for his Assent thereto; and if he should not give his Assent to them within Twenty days, that then they should have the Force of Laws without it.

13. That if any Counsellor of State should die, or be outed of his Place by Corruption, in the Intervals of Parliament, the Protector, with the rest of the Council, to substitute another in his Place.

14. That a certain Annual Tax should be made throughout the Three Commonwealths, for maintaining Ten thousand Horse and Fifteen thousand Foot, which Tax also should supply the Charge of the Navy; and that the Rate should not be lessened or altered in Parliament, without the Consent of the Protector and his Council: But if it should be thought necessary hereafter, that any Army should be maintained, then whatever Surplusage should be of this Tax, to be kept in the Exchequer for sudden Emergencies.

15. That if there might happen any Occasion of making extraordinary Choices, and to raise new Forces, it shall not be without Consent in Parliament; but that in the Intervals of Parliament it shall be Lawful for the Protector and his said Council, both to make new Laws, and to raise Monies for the present Exigencies.

16. That all the Lands, Forrests and Jurisdictions, not sold by the Parliament, whether they had belonged to the King, Queen, Prince, Bishops, or any Delinquents

quents whatsoever, should thenceforth remain in the Protector.

17. That the Office of Protector should thenceforth be Elective; but that none of the King's Line should ever be capable thereof; and that the Election should be in the Council.

18. That the present Oliver Cromwell should be Protector.

19. That the Great Offices of the Commonwealth, viz. Chancellor, Keeper of the Seal, Governour of Ireland, (Scotland is left out) Admiral, Treasurer, in case they be void in Parliament time, to be filled up by the Approbation of Parliament, and in the Intervals by the like Approbation of the Council.

20. That the Christian Religion, as it is contained in the Scriptures, should be the Publick Profession of the Nation; and that those who were to have the Care thereof, should have their Support from the Publick; so that it be with some more convenient Maintenance, and less subject to Envy than by Tithes.

21. That no Man shall be by any Fine or Penalty whatsoever, forced to comply with these Publick Professions, otherwise than by Perswasion and Argument.

22. That no Man professing Faith in Christ, should be Prohibited in the Exercise of his own Religion, so that he disturb not any other: But that neither Popery nor Prelacy should be permitted the least Favour or License; and that all Laws to the contrary should be void.

23. That all Agreements made by the Parliament should be firm and stable: All Articles of Peace made with Domestick Enemies made good.

24. That all Protectors, in their order, should be obliged by Oath, at their first taking upon them the Government, by all means to procure the Peace, Welfare and

and Quiet of the Commonwealth; by no means to violate the present Agreements. And lastly, To his Power to Administer all things according to the Laws, Statutes and Customs of England. A Conclusion diametrically contrary to the Premises.

However Oliver, as he made Barebone's Meeting a Parliament, so without them he made his Council, though by his Instrument he Sware otherwise: And if he stumbled thus the first Step, you may swear he'll never go upright after in it. Nor did either Barebone's Parliament, or any of Oliver's after, approve of one Chancellor, Keeper, Governour of Ireland, Admiral or Treasurer made by Oliver.

Though these Babes of Grace had invested Oliver with the Protectorian Dignity, yet they began to kick against it, as too much intrenching upon Christ's Kingdom, and were fierce against a Peace with the Dutch, upon the Terms which Oliver intended; which Oliver observing, by a Bargain made between Rouse and him; without the Consent of the Members, upon the Twelfth of December, Rouse with some of them, comes out of the Chair, and goes to Oliver, to beseech him to take the Government upon himself, his Parliament not being able to bear the Burden of it any longer.

But how Zealous soever this Sanctified Assembly was, for advancing Christ's Kingdom upon Earth; yet they made two Laws (as they were called) one for Martiage by a Justice of Peace; the other was, by the Promotion of Praise-God Barebones, That no new Buildings should be made in London, or within Ten Miles of it, but upon Old Foundations; yet was so Unhappy, as to leave a Son to build London

and the Suburbs, all the Countrey over, upon new Foundations.

Whilst these things were doing, a Furious Sea-Fight hapned between the *English* commanded by *Monck* and *Deane*, (for *Blake* was Sick on Shore) and the *Dutch* commanded by *Van Trump*: In the beginning of the Fight *Deane* was killed; and so was *Trump*, and the whole *Dutch* Fleet utterly routed; wherein Twenty seven of the *Dutch* were Burnt or Taken, and but one small Ship of the *English* was lost: The *Dutch* had put their whole Force to Sea, and this being overcome, they had nothing now to do but to Sue to *Oliver* for a Peace.

Thus by Manifold Perjuries, deepest Dissimulation and Hypocrisie, *Oliver* waded through a Sea of Blood in *England*, *Scotland* and *Ireland*, and then deposed them who raised him; for which he had Murdered Thousands but for attempting to do what he had done. He aspired to the Dominion of *Britain* and *Ireland*: The Rump had Conquered these to his Hand; and now by *Monck's* Victory over the *Dutch*, *Holland* lies at his Mercy. So that as *Oliver* was the most Absolute Tyrant that ever Raged in *England*, so was he not less Terrible to all his neighbouring Nations: And now he had it in his Power to do what he would, let's see how like a Beast he did what he did. But that we may better take a view of what followed, it's fit to look back upon what went before.

About the latter end of 1642, Cardinal *Richlieu* died, and in *May* following *Lewis* the Thirteenth died, his Son, the now French King, being in the fifth Year of his Age: But Cardinal *Mazarine* succeeding *Richlieu*, in being Prime Minister of State,
not

not yet being warm in his Office, the Prince of *Conde*, and generally the Nobility of *France*, rose in Arms against him, and to them the Parliament of *Paris* joyned, and proscribed *Mazarine*, and set a Reward upon any who should bring his Head.

However the Queen-Mother continued firm to *Mazarine*; and it was the Felicity of *Mazarine* to force the Pass (I think) at *Charenton*, which *Conde* had ordered Marshal *Turenne* to keep: *Conde* chafed at this loss, which was the loss of *Paris*, receives *Turenne* with Indignation and Reproach: *Mazarine* takes the Advantage of this, and wins *Turenne* to his side, which made *Conde* betake himself to *Bordeaux*, from whence he sent to the *Rump* for Assistance; but the *Rump* being resolved upon a War with the *Dutch*, gave the Prince no Assistance.

After the Reduction of *Paris*, all *France* in a short time was reduced to the King's Obedience; yet the Prince of *Conde*'s Haughty Spirit could not bend to submit to the Cardinal, but served the King of *Spain* in *Flanders*, when in the Year (I think) 1653, he destroyed and took half the French Army which besieged *Valenciennes*.

In these Commotions, though the *French*, in the Year 1646, took *Dunkirk* and *Graveline* from the *Spaniard*, yet in the Year 1651 the *Spaniard* retook them both from the *French*; and the *Spaniard* was enabled to do this by the *English*; for though the *Rump* could not or would not assist the Prince of *Conde* in *Bordeaux*, yet having a Squadron of Men of War in the *Downs*, when a great French Fleet, under a Convoy of Men of War, were going to relieve *Dunkirk* (besieged by the *Spaniards*) these were set upon by the *English*, and the whole French

Fleet destroyed or scattered, and so *Dunkirk* soon after surrendred ; so did *Mardike* and *Graveline*.

Nor were the *Spaniards* less Successful in *Catalonia*, for having expelled the *French* out of it, in the Year 1652, they reduced *Barcelona* (the Metropolis of that Province, and one of the best Ports in all *Spain*) but these Successes will not long continue; and if the *Spaniard* were beholding to the *Rump* for reducing *Dunkirk* and *Graveline*, they may ascribe the loss of them, and of many more Towns and Dominions, to *Oliver*.

The *Dutch* were not only Competitors with the *English* in Trade, but in Dominion by Sea; the *French* were most formidable to the *English*, and indeed to all their neighbouring Nations by Land, and both neighbouring Nations to the *English*; and of all Nations the *English* Trade to *France* was the worst, as much to their Enriching as to our Impoverishment: *Spain* was neither a neighbouring Nation, (except some Parts of *Flanders*) and neither formidable to the *English* by Sea nor Land; yet of all others the *English* Trade with *Spain* was the most Beneficial and Enriching; and yet *Oliver* makes Peace with the *Dutch*, and War (without any Cause) with *Spain*, and then Peace with *France*, the Consequences whereof were,

By this Peace with the *Dutch*, the *Dutch* had an Opportunity, and found Means to build more and greater Men of War to fight the *English*, which had been irreparable if *Oliver* had continued the War. *Oliver* could not but foresee this; but the Nation's Business was none of his, his Concerns lay another way: Nay, notwithstanding the *Rump* had laid by 1100000 *l.* besides the Monthly Tax for Payment of

of the Seamen, and other Charges of the War; and the Bravery of the *English* in all their Engagements against the *Dutch*; and particularly in this last under *Monck*: Yet *Oliver*, either out of Covetousness, or having squandred these Monies among the Officers and Soldiers, to get himself to be made *Protector*, did not pay the Sea-men their Wages; whereupon they rose in Tumults, and came to *Whitehall* to demand their Pay; and for Payment *Oliver's* Soldiers Murdered some; and by Hanging others, he rather terrified than appeased the Sea-men.

By *Oliver's* War with *Spain*, the *Dutch*, who since the Peace of *Munster* 1648, became Competitors with the *English* in the Spanish Trade; now were the Sole Proprietors of it, as much to their Inriching as our Impoverishing; whereby they not only redeemed the Losses they sustained in the War with us, but were inabled to build more and much greater Men of War than they had before: And of this you'll hear more about Ten Years hence.

But these were not all the Losses which the *English* sustained by this War, for *Oliver* did not begin it as Just Princes do, by complaining of Injuries done, and demanding Redress, and in case of denial to Proclaim War; but sneakingly, and like a Pirate, fits up a Fleet under *William Penn* (own Father to the now *William Penn*) and puts on Board a Land-Army commanded by Colonel *Venables*: Thus ship'd, away they Sail for *Hispaniola*; the Design was to take *Sancto Domingo*, and after *Carthagena*, where they were sure was Gold enough; but care was taken the Soldiers and Sea-men should have little enough.

When the *English* arrived at *Hispaniola*, some Soldiers were landed in sight of *Sancto Domingo*, whilst the rest were to fetch a Compass, and Land to Attack the Town on the other side; but these mistaking their place of Landing, landed ten Miles beyond: The Sun was Scorching, the Country Uncouth, Sandy and Woody; and the *English*, ignorant of the Way, were so overcome with Heat and Thirst, that many of them died outright; others so spent, as they could not March, so were killed by the *Spaniards* without fighting: Yet some few feebly arrived to joyn their Companions, when, to the breaking of all their Hearts, they opened their Commission and found, that upon Pain of Death, *All the Gold, Silver and Rich Goods, should be brought into a Common Treasury.*

This was Cold Comfort to these Wretched Men, in this Scorching Climate, where they could no longer stay; so away they Sail to *Jaimaca*, where a Plague overtook them, so that in less than six Months time, not Two hundred of this whole Army outlived it. Thus you see how Divine Vengeance overtook this part of the Army abroad, after their Perfidiousness, Treachery and Hypocrisie at home: And this Calamity was brought upon them by him whom they had set up to inable him to do it. And *Oliver*, who expected Mountains of Gold (like *Sir Walter Raleigh* in King *James* the First's Reign by his Expedition to *Guiana*) contracted such a Debt by this Expedition, that by all his Tricks he could never after overcome: And as *Sir Walter* lost his Head by this Expedition, so did *Oliver* his Reputation.

But

But if *Oliver* lost by this War, the Nation, and *Spanish* Merchants lost much more; for the *Spaniards* Seize and Confiscate all the *English* Effects in *Spain*; which were so much more, by how much the Merchants were surpris'd in it, they having no Notice of it, by which they might have withdrawn their Effects in the *Spanish* Power: And the Privateers from *Dunkirk*, *Ostend*, and the Ports of *Biscay* and *Galicia*, did the *English* Merchants in all their Trades, more Damage than they sustained in the *Dutch* War; with this Difference, that the *English* took above Seventeen Hundred Prizes from the *Dutch*, which eased the *English* Charge in the War against the *Dutch*; whereas in this, the *English* took none, or but very few from the *Spaniard*.

Nor had the *English* Nation any Benefit of the Two Ships taken by *Blake* in *Sept.* 1656. off the Coast of *Spain*; where One more was Sunk, another Burnt, and Two broke to Pieces on the Shoar; so that of Eight Plate Ships, but Two got into *Cadiz*: On the contrary, both *England* and *Europe*, suffered by *Blake's* Burning the *Spanish* Plate-Fleet in *Sancta Cruz*, in *April* 1657. Whereby, though it were the immediate Loss to the *Spaniard*, yet in Consequence, this was a Loss to *Europe* in all their Trades to *Spain*, which became so much lessened by this Loss, as the *Spaniard* had thereby less means to hold Trade and Commerce with the Nations who traded to *Spain*, or any of its Dominions.

Thus we have seen *Oliver* make Peace with the *Dutch*, to the endangering the Safety of the Nation; and War with *Spain*, to the enriching the *Dutch* and to the impoverishing the *English*; next you'll see him make Peace with *France*, not only

to the impoverishing the *English* but to the endangering the Safety, not of *England* only, but of all Christendom.

In our Trades to *Spain* we were as much Gainers by them, as Losers by the French; so as we could better sustain the Losses wherein we debauched our selves by drinking *Spanish* Wines: Whereas in this War with *Spain* and Peace with *France*, we doubly debauched our selves in drinking *French* Wines, which became so much more, as *Spanish* could not be had.

King *James* and *Charles* the First, except in the business of *Rochell*, were only Lookers on, whilst this *French* King's Father rooted out the Power of the Reformed in *France*, expelled the Duke of *Lorraine* out of his Country, supported *Portugal* and *Catalonia* in their Rebellion against *Spain*, tamed the Duke of *Savoy*, and took *Pignerol*, (the Key of his Country) and other Places from him; as also *Brisac* from the Empire, and *Landreshy* and other Places from the *Spaniard*. Whereas *Oliver* actually joined with the *French* in an Offensive War against the *Spaniard*; whereby he first made the *French* so formidable, that it's a Question, Whether it be in the Power of Christendom, to restrain his boundless Ambition by Land; for besides the routing of the *Spanish* Army near *Dunkirk*, by the *English* and *French*, or rather by the *English* without the *French*: They took from the *Spaniard*, *Winixburg*, *Furnes*, *Bourbock*, *Dunkirk*, *Mardike*, *Graveline*, *Montmeity*, *Jpre*, and other Places.

But the Land could put no Bounds to the *French* Ambition, and therefore *Mazarine* made use of this Conjunction, to enlarge the *French* Dominion by

y Sea; without which, all the *French Grandeur* by Land, could not Protect *France* from the Inſules and Invaſions which the *English* and *Dutch* might make upon it by Sea: And herein *Mazarine*, wiſely conſidered, that the Dominion of the Sea could not be attained but by Navigation, nor could Navigation be had, but by Trade to ſupport it.

Of all Trades the Fiſhing-Trade moſt increaſes Navigation, both by Mariners and Ships. For in other Trades by Navigation, as to *Turkey*, the *East*, *West-Indies* and *Muscovy*; it may be we imploy a Thouſand Men in making Cloaths, &c. to Ten Mariners in the Forreign Vent of them; whereas in the Fiſhing-Trade, every Man becomes a Mariner: Add hereto in the Fiſhing-Trade the Mariners are always at Hand for the Publick Service of their Country, and Luſty, Active and Strong; whereas in our long Sea-Voyages, eſpecially to the *East-Indies*, the Mariners are long abſent, and in the Diverſities of Climates, and by Salt Meat and Sour Drinks, become ſubject to infinite Diſtempers; ſo that it may be a Queſtion, Whether in theſe Voyages, we do not loſe more Men than make Mariners: And of thoſe which ſurvive, One Fiſher-man ſhall by his Health and Strength, beat Three of them.

Befides, in our Forreign Trades by Navigation, We imploy only Men in them; whereas in the Fiſhing-Trade, we imploy all ſorts of People, Men, Women and Children, in Curing and Drying Fiſh, and in making Cordage, Nets and Sails, for the Fiſhing-Trade: The Fiſhing-Trade upon the Coaſt of *England* and *Scotland*, the *French* could not hope to drive the *Dutch* out of; but the *New-found-Land* Fiſhery,

Fishery, was too remote from the *Dutch*, and the *French* should only have the *English* to contest with in it.

Here let's see how the Case stood between the *English* and *French* in this Contest: The *New-found-Land* Fishery was carried on by the Inhabitants of the Port-Towns of *Cornwal*, *Devon* and *Dorsetshire*; these Ports were all Corporations, which excluded all other *English* Men from carrying on this Trade. And these Corporation-Men being few and Beggars could not enlarge their Fishing-Trade, beyond their Men and Stock.

Whereas *Havre de Grace*, *St. Malo's*, *Morlaix*, *Brest*, *Blavet*, *Rochford*, *Bayon*, and other *Western* Ports of *France*, are not only manifoldly bigger and better Peopled than the Ports of the *Western* and *Southern* Parts of *England*, but the *French* King contributed Three Hundred Thousand Pistols for carrying on the *New-found-Land* Fishery; and for further Encouragement, gave Half Pay to Lusty, Young Men, above their Wages, for Two or Three Voyages, for the increase of Mariners; and in all the Ports of *France*, erected Schools, for instructing Youth in Mathematical Learning, *Gratis*.

The Fish caught in the *New-found-Land*-Fishery, cost nothing but the Catching and Curing, so that they who can Catch and Cure them Cheapest, are sure of a Forreign Market, in their vending: And this creates another Navigation and Imployment of Mariners. And here let's see if the Act of Navigation be not as much a Cause of enabling the *French* in carrying on this Fishery, as it is eternally of fixing the Fishing-Trade upon the Coast of *England* and *Scotland*, and the *Green-Land* Trade, upon the *Dutch* and *Hamburgers*. The

The *French* have upon the Coast of *France*, (I dare say) near Twenty-fold more Timber to Build Vessels for the *New-found-Land* Fishery, than can be had at like Distance from the Ports of *Cornwal*, *Devon* and *Dorset*: And I believe, as cheap, as the *English* pay for the Carriage of theirs to the Ports; and when it comes there, the *French* Timber is wrought much easier than the *English*; and Vessels made of *French* Timber, draw less Water, and are Sailed with fewer Hands: Besides, the *French* encourage all Forreigners to Build their Vessels more conveniently for this Trade, than the *English* understand.

And as the *French* have much more manifoldly the Advantage above the *English* in Building Ships, so have they more in Plenty of Hemp and Flax, for fitting up Ships for this Trade, (wherein I suppose they do not restrain the *French* from Curing Hemp and Flax in standing Waters) and in Proportion, as much cheaper than the *English* can fetch Forreign Hemp and Flax in *English*-built Ships, and Sailed by Three Fourths *English*: So that to the Poverty of these beggarly Corporations, this Wise Law of Navigation, obliges the *English* to encounter the *French* in this *New-found-Land* Fishery, in Ships doubly as dear Built, and Sailed by near double the Charge; and so as the *English* are like to come to a sorry Market abroad, if they can find none at home, for their Fish caught in this Trade.

Add hereto that the *English*, who cannot Cure a White Herring, Pilchard, or Cod-Fish, are too Wise to be Instructed in this Trade, but keep the Fish on Board, till it becomes Stale, and so cannot be so well Cured, as when new caught; whereas
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the *French* Cure them on Board ; so, as they take them cheaper, so they cure them better : The Success hereof, you will hear more hereafter. So that from the Act of Navigation made by the *Rump*, and this War by *Oliver*, we may date the Fall or the Decay of the beneficial Trades of *England*, and also of the Value of the Lands of *England*, being a necessary Consequence.

Having seen *Oliver* lay a Foundation for the Ruin not of *England* only, but of the *Western* Dominions of *Europe* abroad, by exalting the *French* Grandeur by Sea and Land : We'll see how he behaved himself at home, and how he established his ill acquired Dominion in himself and Posterity.

After *Monck's* Triumphant Victory over the *Dutch*, the *Dutch* were forced to beg a Peace of *Oliver*, for which they paid him a Great Sum of Money (I do not find the just Sum) which of all things, *Oliver* stood most in need of ; and so having no more Use of *Monck* at Sea, he sent him back to govern *Scotland* ; but when he shall come there, *Oliver* shall never get him out again ; nor shall he come out of *Scotland*, but utterly to exclude *Oliver's* Posterity from ever mounting to his ill-gotten Greatness ; and to unravel all that the *Presbyterian* Parliament, the *Rump* and *Oliver*, had been near Twenty Years in Weaving. But in regard General *Monck* hath borne so great a Figure in this Treatise, and shall much more hereafter, it will not be amiss to see how the Case stood with him, before he entred into the Parliament's Service.

He was the Second of Three Sons, to Sir *Thomas Monck*, of *Potridge* in *Devonshire*, and Born in the Year 1608. And being a Younger Brother, and
having

having a Mind above his Fortunes, he endeavoured to advance them by a Military Profession. His Birth sorted with his Desires, his Family being of great Antiquity, and he no Stranger to the Royal Blood, one of his Maternal Ancestors, being a Daughter (but not Legitimate) of *Edward the Fourth*.

At the Age of Seventeen Years he served King *Charles the First* in the unfortunate Expedition to *Cadiz*: And at the Age of Eighteen, he served in the more unfortunate Expedition to the Isle of *Rhee*; yet was not his Courage daunted by these Misfortunes, but he followed the Earl of *Oxford* (General of the *English*) in the *Low-Country-Wars* against the *Spaniard*, until the Civil Wars began to break out in *England*, between the King and Parliament: And the *Irish* Rebellion first breaking out, he took a Commission from the Earl of *Leicester* (agreed to be Lieutenant in *Ireland* by the King and Parliament) against the *Irish*: But the King and Parliament after falling out, the King sent the Earl of *Ormond*, Lieutenant of *Ireland*, and *Monck* took a Commission from him to serve against the *Irish*.

When the *Scots* came with an Army into *England* to assist the Parliament, the King made a Cessation of Arms with the *Irish*, and recalled the *English* sent to subdue the *Irish*, to assist him against the *English* and *Scots*; these, in which *Monck's* Regiment was included, were utterly defeated by Sir *Thomas Fairfax*, joined with Sir *William Brereton*, *Gell*, *Middleton* and *Mitton*, and *Monck* taken Prisoner and sent to the *Tower*; where he continued near Four Years.

In this time he fell into great Poverty and Want, but was relieved by a near Kinsman of mine, Sir R. C. then a Prisoner in the *Tower* with him; and whilst he was Prisoner, did Conform to the Prayers and Liturgy of the Church.

When the Parliament made the Self-denying Ordinance, thereby to depose the Earls of *Essex* and *Manshester* from their Commands, as being more inclined to a Pacification with the King, than the Parliament were willing they should be: *Cromwell* (knowing the worth of *Monck*.) sent to him to take a Command in the Army, to be new Modeled under *Fairfax* and him, which *Monck* accepted.

The Bishop of *Ely* (who was Prisoner in the *Tower* with *Monck*) told me that after he had accepted a Commission, and was released from his Imprisonment, *Monck*, before he went out of the *Tower*, went to visit the Bishop and beg his Blessing, which after the Bishop had given him, he said, *Now Colonel you have changed Sides, we expect neither to see, nor hear from you more*; the Colonel then protested, *He would never wear a Sword against the King*. It seems he did not think Fighting against the *Irish* and *Scotts*, was wearing a Sword against the King; for he did not only wear, but draw his Sword against them: And though he changed Sides, he did not his good Nature to Sir R. C. For upon the first Opportunity after he came out of the *Tower*, he took a Journey into the Country, to visit Sir R. C. (who was released out of the *Tower* a little before) and to thank him for his Favours, when they were Prisoners.

But least *Oliver's* Assuming the Supreme Authority of the Nation, should too much favour of
Selfishness,

Selfishness, he having no Authority but from *Barebone's* Parliament, which was of his own making; therefore he Summons a Company of Men, so many to be chosen by each County, but not of like Number: And others to be chosen by such Towns as he named, to meet the 3^d. of Sept. 1654. at *Westminster*. He upon their Meeting, and before he permitted them to enter the House, told them, That some Years ago, none would have thought of such a Door of Hope: That he knew there were yet many Humours and Interests, and that Humours were above Interests: That the Condition of the English was like Israel in the Wilderness: That this was an Healing Day: There was neither Nobleman, Gentleman nor Yeoman before, known by any Distinctions: We had not any that bore Rule or Authority, but a great Contempt of Magistracy and Christ's Ordinance: That the Fifth Monarchy was highly cry'd up by Persons who would assume the Government; but that desired thing wanted greater Manifestation than appeared, for such Men to change the Authority by. He desired this Assembly to remedy all these Disorders; shewed, That the Wars with Portugal and France, (for yet he had not made Peace with it) do, and did eat up all the Assesments: That Swarms of Jesuits are crept in to make Divisions, which were grown so wide, that nothing but Government could remedy them: And let Men speak what they would, he could speak it with Comfort before a greater than any of them. Then he shewed what he had done during his Government. First his Endeavours to Re-form the Laws; next his filling the Benches with the Ablest Lawyers; then his Regulation of the Chancery, and his Darling Ordinance for the Approbation of Ministers, (which hindred all that list, from invading the Ministry)

stry) by Men of both *Perswasions*, Presbyterians and Independents, &c. And lastly, his being Instrumental in Calling a Free Parliament; which he valued, and would keep it so, above his Life.

But this Cant did little edify the greater Part of the Members, who again chuse *Lenthall* Speaker, and fall upon strict Enquiry into *Oliver's* Instrument of Government, which the Officer-Members oppose, alledging, That the Instrument was the Foundation of the Government by which they met; and therefore could not be brought into Debate: And *Lambert* said if the Parliament would not Confirm them, they would Call another, a Third and Fourth, till 'twas done.

Yet this frightened not the *Republican* Party, who boldly said, That the Government was Usurped by Fraud and Force, not Procured by Right, or Confirmed by the Free Votes of the People: That it laid Snares for the Liberty of the Commonwealth, and made way for most grievous Tyranny. Nay, one said, Since we were so near approaching to Monarchy, it were better to call one of the Royal Family to the Government, than that *Cromwell* should Usurp both Scepter and Crown.

The Debates netled *Oliver* to the Quick, so that in an unusual Heat, he tells them these Debates would turn all things into Confusion, and make them to return to their former Chaos: And that they were to Build upon the Foundation of the Instrument, not to overturn it; with a great deal more of such Stuff.

But if Admonition would not prevail, he'll try what may be done by Force; so next Day he set Guard upon the House, who would let no Member

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enter, but he who Subscribed a Recognition, *To be Faithful to the Protector, and not to endeavour to change the Government of a single Person*: When many of the *Republican* Party refusing, the *Cromwellian* Faction within Doors, became near equal to the *Republican*.

The Secluded *Republicans*, rather exasperated, than subdued by *Oliver's* Repulse, join with a *Republican* Party of the Army, who consult how they might Apprehend *Oliver*, and bring him to a Tryal before the Parliament for his Treasons against the Commonwealth: But *Oliver* being Quick-scented, smelt out this Conspiracy, and so prevented it: And upon the 22d. of Jan. 1654, Dissolved the Parliament.

As the *Republicans* were impatient under *Oliver's* Government, so were the *Royalists*: For in *March*, after *Oliver* had Dissolved his Parliament, the *Cavaliers* designed to rise but could not get together; yet Sir *Joseph Wagstaff* with a Body of *Wiltshire* Men, when the Assizes were holden at *Salisbury*, rise upon the Judges in the Circuit, and Proclaim the King, but were soon dispersed by Captain *Crook*, who granted Colonel *Penrudock*, and those with him, Articles of War upon his surrendering himself, to be Indemnified in their Lives and Estates. But *Oliver* sent other Judges, who Condemned Colonel *Penrudock* and Captain *Groves*, for High Treason; for which they lost their Heads: And several others were Hanged and Quartered.

This Design of the *Cavaliers*, gave Reputation to a Twofold Design of *Olivers*: One was to procure Congatulatory Addresses from the Officers of the Army in *Scotland* and *England*, for having so

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happily

happily changed the Form of the Government for a better ; promising to Assist him with their Lives and Fortunes in all Difficulty's ; because *The Malignants* (so was the King's Party called) and *Enemies of the Country now Triumphed, as if the Army breaking into Discords and Divisions, would presently renounce their General Cromwell* : This is the first I read of in this kind, but upon not unlike Occasions, was made use of for above Thirty Years after.

The other was to set up Fourteen Major-Generals over *England and Wales*, with an Absolute Power, to Inquire after all those who had borne Arms, or been Sequestred for being Malignants, and to make them pay the Tenth Part of their Estates, and be Imprisoned, till they gave Security for their Good Behaviour to *Oliver*. These Major-Generals after their Parts to the Life : And being an Obscure Company of Mean Fellows, (except *Fleetwood*) Lorded it over the Nobility, as well as Gentry and Clergy, with an unheard of Insolency. Here I take Liberty to tell, it may be, a not unpleasant Story.

My Father was a Member of the Long Parliament, and one of the first Rate, which was Expelled the House, Sequestred and Imprisoned for Malignancy ; first at *Tarmouth*, after at *London* : And whilst he was Prisoner there, the Committee of *Haberdashers-Hall*, sent a Messenger to him, to pay Three Hundred Pound for the Five and Twentieth Part of his Estate, for being Resident in *London*.

My Father was not forward to return an Answer, till the Messenger told him he must have an Answer : Then my Father told him, that such Confidence as he had in *London*, he wished to those who

sent him. Afterward Sir *Anthony Weldon* (Chairman to the Committee in *Kent*) sent to him, that if he would send the Committee his Court-Rolls, they would keep his Courts for him; to which my Father Answered, the Parliament had kept him Prisoner near Three Years, to prove him a Knave; but Sir *Anthony* should not beg him for a Fool.

My Father would never own the Parliaments Power by Petitioning them, or Paying any Taxes Assessed by them; yet by the Sollicitation of my Mother, he was discharged of his Sequestration and Imprisonment.

Of all the Provinces of these Major-Generals, *Fleetwood's* was the greatest; being the Associated County's: Which were *Norfolk, Suffolk, Essex, Cambridgshire, Huntingdonshire*, and (I think) *Hertfordshire*.

I do not remember *Fleetwood* ever acted of himself, but one *Haynes* was his Deputy; but because these Major-Generals were Men of Action, and so could not always attend this Business, they Appointed Committees of their own Gang, Mean and Profligate Rascals, who should not vary one Tittle from their Instructions: One Day an Attorney was Chairman to that in *Suffolk*.

In the Year 1656, one Major *Rolston* (who served under Sir *Richard Willis*, when he was Governor of *Newark* for the King, and who betrayed the Cavaliers Designs to *Oliver*) came to me and told me, the King was making great Preparations of Land in *England*, and that the Cavaliers were intending to Rise all over *England* to Assist him: This he assured me he had from Sir *Richard Willis*; and told me I could not do the King greater Ser-

vice, than to provide some Horse-Arms, Back, Breast, Pot and Pistols.

Hereupon I went to *London*, and bought a Dozen of either, and had them put up into Two Hampers, and see them put on Shipboard, and then returned into the Country, and took care upon the first Arrival of the Ship, to have Notice of it: And when the Ship arrived, I ordered the Business so, that in the Night I got them to my Father's House; this was upon a *Friday*: And that Night my Youngest Brother and I, so disposed of them, that I believe, none but we two knew where.

Upon *Sunday* about Midnight, my Father's House was broke into by a Party of Horse-men sent from *Tarmonth*, and the Cellars, and all suspected Places of the House, were searched for Arms, but none found, but the Swords of me and my Brother, which hung up in the Hall; which they carried away, as well as my Father and Brother: My Father was Old, very Fat and Unweildy; my Brother, Young, (about Nineteen Year Old) Raw, and of little Experience in Martial, or any other Affairs; but whether they were carried, we could not tell.

The News of this Exploit, was soon blazed all the Country over, and this brought me a Ticket to meet *Rowston* and a Cousin *Germane* of mine, at a certain Place; for we had our Meeting-Places.

We met with Heavy Countenances, not one of us but expected to be Hanged; though I had more Reason to fear it, than either of them: The Danger was, my Brother would discover all; they both wished I had been taken, so my Brother had not: I thanked them for their good Wishes; but this
availed

availed nothing ; what was to be done, now my Brother was a Prisoner, was to be advised of ; they both could not tell what to do, but Hanging was the best we could expect.

At last I told them that these Fellows were of *Sancho Pancho's* Stamp, Proud to the Humble, and Humble to the Proud ; and therefore nothing was to be done with them but by Hectoring : They both agreed, but neither of them would undertake it, but left it to me.

The next day News came from my Father, from *Yarmouth*, for Drink and Dyet, for he said this Devil could be cast out no other way than by Fasting ; and therefore would neither Pay for any Meat or Drink which was sold there, nor give the Soldiers one Penny who guarded him : And by this time I got some Inkling, that my Brother had discovered our Design of Rising to a Mean Fellow, whose Mother *Hopkins* the Witch-finder had been Hanged for a Witch, who had informed one of the *Brefters*, of which there were three Brothers, *Robert*, *Francis* and *Humphrey* (all stiff *Oliverians*) of it.

The next day I went to *Yarmouth*, where I found my Father and Brother at Variance, for they were not at good Terms one with the other, and Soldiers guarding them : At first I expostulated with the Soldiers for taking away my Sword, which they had nothing to do with ; which they denied, or shifted from one to another, which was all I cared for : Then I complained that my Brother should be hurried into Prison upon the Story of a Rogue, whose Mother was Hanged for a Witch : This my Father said was too late now, for my Brother had confessed all to the Governour ; it seems they

had put burning Matches between his Fingers to do it.

So I went to the Governour, and told him how unhappy my Poor Brother was, to be so hardly used, upon the sole Testimony of so Vile a Fellow. To which he answered, That it was past now; and by that time his Examination was before the Protector. But said I, if you have any thing against my Brother, it does not appear you have any thing against my Father; and his Case was not usual heretofore, an aged and unweildy Man to have his House invaded at Midnight, and his Person hurried into Prison at that Season.

To which the Governour answered, That what the Protector demanded, that my Father should give Security to the Protector for his Good Behaviour (which I was sure he would never do) could do my Father no hurt.

To which I replied, That no Man who is bound to his Good Behaviour, is taken for a Man of Good Behaviour: And that now, as the Protector will have the Tenth part of his Estate for having been Sequestred; so he might take half or all his Estate for having been bound to his Good Behaviour. To which the Governour not answering, told me, He would not have taken the Language my Father gave the Protector from any body else. I told him, My Father always lead a Free Life, and the Governour could not expect he should be Metamorphosed upon his Appearance before him. So I left him, and went to my Father, and asked him what he had said which gave the Governour such Offence. He said he knew nothing, unless it were that the Governour asked him if he knew the Protector; he said

said, yes, and his Father too when he kept his Brew-house at *Huntington*.

Next day the Soldiers carried my Brother for *London*; I went part of the way with him, and when I could get an Opportunity, instructed him what to do: And about three days after my Father returned to his House in Sir *Nicholas Bacon's* Coach; for after my Brother was gone, the Governour ordered my Father to be released; who to get out of *Town*, not staying to send for his own Coach or Horses, took one of the Carts (peculiar to the *Town of Yarmouth*, which have two Wheels behind, and over them a place to carry Goods from Ship-board to the Merchants Ware-houses) and in it went to Sir *Nicholas Bacon's*. It's strange how such an odd thing should be so long remembred, for above twenty Years after, I being at the South-end of *Yarmouth*, and my Horse standing at the North (about three quarters of a Mile) and seeing one of these Carts, I asked the Owner if he would carry me to my Inn and I would give him Six-pence; we agreed, and the Fellow told me how before he had carried my L—— to Sir *Nicholas Bacon's* in it.

My Father had not been long returned, but he received a Summons from *Haynes* to appear at *Bury*, to give the Protector Security for his Good Behaviour, and shew Cause why he should not be decimated. My Mother was now dead, and Security I was sure my Father would not give, nor any that I knew would appear for him: So I took up his Case, and appeared for him, I excused his not coming for his Age and Unweildiness, which was allowed: But I told the Committee, my Father was
not

not in their Instructions, for though he had been Sequestred, yet no Charge was alledged against him; and so upon hearing his Case, the Parliament discharged his Sequestration: But 'twas to no Purpose to talk Reason to these Fellows, for they said he was in their Instructions, and so ordered him to be Decimated. I told them I would not submit to it, but protested against it, and appeal'd from them to the Protector.

I was content to take this Occasion to go to *London*, more to take care of my Brother, than in hopes to get off my Father's Decimation: And when I came to *London*, I knew not how to get a Petition to be delivered to *Oliver*: Major General *Skippon's* Father was Servant to my Grand-father and eldest Uncle, to whom I went, but when I named my Father, and his Case, he went out of the Room: I then applied my self to Mr. *Nathaniel Bacon*, who was one of *Oliver's* Masters of Requests, who promised to deliver my Father's Case to *Oliver*, and that I should have an Answer.

So I appeared before *Oliver*, which was the only time I ever saw him, in *Henry the Eighth's Chamber* in *White-hall*, but Mr. *Bacon* stood at the further Door, and *Oliver* and I at the Door next the Clofet; *Oliver* seem'd to read the Petition, though to my Apprehension he read not one Line of it, but sometimes looked upon me, then upon the Paper; and after some Pause told me, Mr. *Bacon* should give me a Satisfactory Answer: Then *Oliver* told me he knew my Father very well, and that I had a very Fair Sister; and I believe would have gone on at this rate, when I humbly Thank'd his Highness for his Favour to my Father, and so went off.

I had heard enough of *Oliver* not to believe any thing he said; and therefore I told Mr. *Bacon*, that unless I saw the Order of the Protector to the Major General upon my Father's Appeal, I would not take it out. Mr. *Bacon* told me it was not usual, yet I should have it: Which was as much as I could desire. Yet upon some Private Queries between *Oliver* and his Parasites, it signified nothing as to my Father's Decimation; but whether the Contesting his not being in the Major General's Instruction, or the Humour of giving Security being abated, my Father was not further Prosecuted for giving Security, which was all I cared for: And I believe my Father was the only Man who was Sequestred in *England*, who escaped it without Imprisonment.

My Brother proved Stanch (as we say) and would not make any farther Discovery, though *Oliver* profered to prefer him in the Army; and the Major General's Power declining, and *Oliver*'s third Parliament coming on, at last by my own proper Charges I got him released.

In these Times a Rapsody of *Socinianism*, *Pelagianism*, and *Arrianism*, as sprung from the Seeds of *Arminianism*, was vented all over the Nation, especially in the Army, the Ring-leaders of these were *Bidde*, *Copps*, *Fry*, *Erbury*, *Saltmarsh*, &c. but more Blasphemous than these was one *James Naylor*, (I saw him when he stood in the Pillory before *Westminster-hall*) who Personated our Saviour (and was like his Picture) in his Words and Gestures; and so Mad was he, and many of his Crew, that getting upon an Horse-Colt (an Ass would have become him better) he came riding to *Bristol*, his Sect strewing his way with Leaves and Boughs of Trees, crying,

crying, *Hosanna, Blessed is he who cometh in the Name of our Lord.* Nor did he stay here, but imitated our Saviour in affecting his Divinity, as that he could Raise the Dead, Heal the Sick, and Fast Forty Days.

In these Distractions without (to prevent which *Oliver* took little Care) *Oliver* had little Peace within: He was obeyed by none for Love; had no Title to his Greatness but by *Barebone's* Parliament of his own making, his own Will, and the Flattery of some of the Officers of his Army; yet the Body of the Army, and greater part of the Officers, looked upon him as a Tyrant and Usurper; and with these the Generality of the *Commonwealth-Party* agreed; the *Presbyterian-Party* hated him, and he knew the *Royalists* would never obey him, if ever they could find an Opportunity to get rid of him.

The *Crown-Lands*, and the Established Revenues, he reserved by his Instrument of Government, would not near Maintain the Charges of his Intelligence and Army, which in a manner lived upon Free Quarter; and the *Decimation* of the *Royalists* bare no Proportion to Support them. His Expedition to *Hispaniola*, from which he expected Mountains of Gold, proving not only Dishonourable, but thereby he contracted so great a Debt, as he could never live to overgrow.

In these Disquietudes of Mind, his Looks were Intent upon new and unusual Spectacles: He took particular notice of the Carriage, Manners, Habit and Language of all Strangers, especially if they seemed Joyful: He never stirred abroad without strong Guards, wearing Armour under his Cloaths, and

and Offensive Arms too ; never came back the common Road, or the same way he went, and always passing with great Speed : Had many Locks and Keys for the Doors of his Houses ; seldom slept above three Nights in one Chamber, nor in any which had not two or three Back-doors, and Guards at all of them.

To these Dr. *Bates* in the Second Part of his *Elenchus* adds this, That *Oliver* being much troubled with the Stone, used sometimes to swill down several sorts of Liquors, and then stir his Body by some violent kind of Motion, as riding hard on Horseback, jolting in a Coach, &c. that by such Agitation he might disburden his Bladder : Wherefore one day he took with him his Secretary *Thurlow*, that they two might privately use this Exercise in a Coach in *Hide-Park*.

When they came thither, *Oliver* got into the Coach-box, drawn by six brave Horses lately presented to him by Count *Oldenburgh* ; and so soon as *Oliver* began to snap his Whip, the Horses ran away, and the Postilion was thrown off the Fore-horse ; the Horses fretting and growing unruly, tost *Oliver* from his Seat upon the Pole, and falling from thence upon the Ground, was intangled in his Coat, and dragged up and down till he received many Bruises, a Pocket-Pistol in the mean time going off, and his Coat rent ; but a Guard of Horse, which waited at the Gate, seeing the Disaster, hastening toward his Assistance, disintangled him out of the Danger.

However *Oliver*, to Establish his ill acquired Greatness in his Family, makes his Son *Henry* Lieutenant of *Ireland*, and fain would have made his Son

Rich

Richard Goverour of *Scotland*, but *Montk* would not budge there, which it may be was as great an Affliction to *Oliver*, as all those he laboured under before.

Now was *Oliver* driven to a Forc'd-putt, if a Parliament could not help him, he had lost his Game. So he in *September* 1656, sets up a New Bauble called a Parliament, and to those chosen by the *English*, he adds Thirty sent from *Scotland*, and as many from *Ireland*; *Oliver* set his Wit upon Tenterhooks to have those chosen for *England* to be for his Turn, he cared not so much for those sent from *Scotland* and *Ireland*, being sure of them.

To this Purpose his Major-Generals used all their Endeavours, equally to hinder the Elections of *Royalists* and *Republicans*, for neither would suit with *Oliver's* Designs: However *Oliver* would not suffer any to enter the House, before he Subscribed to the Authority of the Protector.

These Men chose Sir *Thomas Widdrington* Speaker, who begirt *Oliver* in *Protectorean Robes*, for King he would not be; and told him, That the Robe of Purple is the Emblem of Magistracy, which imports Righteousness and Justice; the Robe of Mixt Colour, Justice and Mercy; and a great deal more of such Stuff, which *Oliver* regarded no more than he did *Barebone's* Parliament, and his Instrument of Government.

To ease *Oliver* of the Trouble, this Parliament put down the Major Generals, who were become Troublesome to *Oliver* himself, as well as the Nation in general; and made it Treason to Conspire *Oliver's* Death; and that the *Royal Family* should be renounced: These gave *Oliver* the Customs, and a
Triennial

Triennial Tax upon all Houses built upon New Foundations, in *London* and within ten Miles round, that every one of them should pay *Oliver* a Years Rent : And to Indear him the more, this Parliament gave *Oliver* leave to name his succeeding Protector, which he kindly accepted.

By this you may see the Nature of the Beast ; for when *Oliver's* former Parliament disputed the Authority of his *Instrument of Government* : He told them, It was the Foundation of Government upon which they must Build, not Destroy ; and therefore it was Unalterable by Act of Parliament ; and by the Instrument his Council was to choose a Successor : But now 'tis for his Turn, the Parliament may alter his Instrument, and give him Power to name his Successor.

This Alteration of naming a Successor, had another Effect too ; for *Lambert*, who expected to succeed *Oliver*, and therefore told *Oliver's* former Parliament, That unless they would confirm it, they (the Officers of the Army) would call another, and a Third and Fourth, till the *Instrument of Government* was confirmed. Now his Hopes of Succession was baulk'd, tack'd about, and seem'd to joyn with the *Republican Party* : Hereupon *Oliver* took away *Lambert's* Commission, and made his Son-in-Law *Fleetwood* Lieutenant General in his place. So that though *Oliver* got a Power after his Death, he distracted his Power whilst he was Alive.

And as *Pedlars* which have not Gold, yet will shew something which may glister like it ; so *Oliver*, that his Parliament may seem like a Parliament, will have an House of Lords too ; but these are not Lords with Titles, but Lords of the Lord knows what

what. If you'll take Measures of the rest, I'll give you a List of some of them : There was *Pride* the Brewer, *Huson* the Shoemaker, *Barkstead* the Thimble-seller, *Cooper* an Haberdasher of Small-wares, *Whalley* a Broken Clothier, &c. Yet these Lords must not be called the *Upper*, but the *Other House of Parliament*.

Nothing could have Madded the *Republicans* more, than this *Other House of Parliament* : What, said they, Have we Fought to Depose the *Prerogative-Creatures*, the *Lords*, those *Limbs of Tyranny*, who so Lorded it over the Free-born People of *England* ; and shall we submit to these *Creatures of Oliver*, to *Usurp* the same *Tyranny* over us and the Free-born People of *England* !

Nor did this end in Words only, but the *Republicans* Conspire to make an Insurrection against *Oliver*, but were discovered and dispersed by *Oliver* ; for which *Oliver* committed *Lawson*, (afterward Sir *John Harrison*, Rich (Sir *Robert's* own Father) *Danvers*, and several other Officers : And one *Sundercome* more boldly attempted to have killed *Oliver* as he should pass from *White-hall* to *Hampton-Court* ; and to that purpose had prepared a Blunder-buss loaden with twelve Bullets, to shoot him out of an Arbour as he should pass in a narrow way in *Hammersmith* ; but one *Toop*, who seemed to Conspire in it, discovered this to *Oliver* ; and so *Sundercome* was taken, and Condemned for High-Treason, by *Oliver's* Law made this Parliament ; but *Sundercome* escaped the Execution, being found dead in his Bed before.

Nor did this and the *Other House*, agree better than *Oliver* and the *Commonwealth-Men*; this scorned the *Other House*, as having no Authority from the People, and were as Vain as Useless, so that to prevent further Heats, *Oliver* Adjourns them for six Months.

I'll vie this *Oliver* against *Tarquin*, *Agathocles*, either of the *Dyonisius*'s, or any of the *Roman*, *Athenian*, or *Sicilian Tyrants*, that he was a more Arrogant and Boundless Tyrant than any or all of them.

For if Tyranny be either *Sine Titulo*, viz. To Arrogate a Power over another, which he hath nothing to do with, or *ab Exercitio*, to be bound by no Laws; then both ways *Oliver* was a greater Tyrant; for *Tarquin* had a Title, and his Vices were rather Personal and Particular, than tending to Subvert the *Roman Laws* and *Constitutions*: So were the Vices of *Agathocles*, and both the *Dionysius*'s, &c. Whereas *Oliver*'s Title was only from some Corrupted Officers of an Army, raised by his Twice Deposed Masters, Praise-God *Brebone*'s Parliament, and what *Widdrington* begirt him with.

So though *Cesar* and his Successors did assume to themselves an *Imperial Power*, which did not well suit with the *Consular* and *Tribunitial Dignities*; yet they never made a Pack of Senators to do what-soever they would have them; nor Forc'd or Corrupted the Free Voices of the *Romans*, in chusing such Tribunes as the Emperors pleased; and permitted the *Roman Laws* to have their Free Course.

Whereas *Oliver* made a Parliament (as 'twas called) of his own Nomination; and though he called two more, yet they met by Elections utterly

unknown to our *Laws* and *Constitutions*; and when they met, he would suffer none to sit, but such as would own his Authority.

By our *Laws* the King cannot Tax the Subject, but by Consent in Parliament, whereas *Oliver*, by his *Instrument of Government*, of his own Will alone, Taxed the Nation to Maintain him an Army of Twenty thousand Foot and Ten thousand Horse; and after Taxed the *Cavaliers* a Tenth Part of their Estates.

It's the Birth-right of every *English-man*, not to be Punished in his Person, Liberty or Fortune, but by Judgment of his Peers, or the Law of the Land, and these to be done by Legal Officers; whereas this *Oliver*, without any Law, Imprisoned, and took away Mens Lives and Estates, by a new thing called *An High Court of Justice*, never heard of in this Nation, before the *Rump* and himself; the Judges whereof were of his own Naming; and his Janissaries, the Soldiers, his Military Executioners.

But it may be objected, *Oliver* had reason for Erecting his *High Courts of Justice*, having been so ill used by *Jurors*, for he had by them Tried *John Lilburn* twice for High-Treason, and Sir *John Stawell* thrice, who were acquitted by these Juries, yet neither of them could be discharged from their Imprisonment, which by Law they ought to have been.

But that which Madded *Oliver* most, and made him utterly out of Love with Juries, was, that three Men, *Davison*, *Holder* and *Thorold*, being Apprehended, upon Suspicion of endeavouring to bring in the King, were committed Prisoners to a Provost Marshal; and these having obtained leave of the Provost

Provost to walk abroad, under the Guard of a Soldier, they would have wheedled the Soldier to have made their Escape, which the Soldier refusing, they killed him.

Oliver, who before designed to have Sacrificed these Men by an High Court of Justice, having, as he thought, a more Plain Proof of Murder against them, than he had for their endeavouring to bring in the King, would now try them at *Common-Law* by a Jury.

When they came upon their Trial they pleaded Not Guilty; and upon their Trial the Question was, Whether they were Legally Committed; which if the Jury found, they were to find them Guilty of Murder; if not, they could find it but *se defendendo*, or at highest but Manslaughter; and the Jury found them not Legally Committed, and so acquitted them of Murder. This put *Oliver* so out of conceit with Juries, that he never after made use of them in Capital Cases. However by this he might see, he was as little regarded by the Body of the Nation, as by his Discarded Officers and the Commonwealth-Men.

Nor was *Oliver* a better Governour in Church and State, for he Prostituted all Orders of Christianity; and so little regarded things dedicated to sacred Uses, that he made *St. Paul's Church* a Garson for his Soldiers, and a Stable for Horses: And his want of Money was as Great, as the Love of the Nation was Little.

This being a Forc'd-Putt, he'll try once more what he can get by another *Assembly*, which he would call a *Parliament*; and that it may be a *Free Parliament*, it should be made up of the *Other House*,

and *Republicans* were permitted to sit in this. Thus Qualified, they met upon the Twentieth of *January* 1657, never was such Brawling heard, the *Republicans* brawling against *Oliver's* Creatures in this House; and both against *Oliver's* Lords in the *Other House*: So that it may be truly said of this Parliament :

*That this, did out-Babble that of Barebone's, as far,
As these above those Men in Number are.*
viz. Above Three-fold more.

Oliver therefore, not able to endure their Jangling longer, and having got not a Groat by them suddenly dissolved them, and shall never call another

To make this Tragedy a little Comical, *Cardinal Mazarine* was as little a Slave to his Word as *Oliver*, and endeavoured to enlarge the French Dominions by as unworthy Means as *Oliver* did to establish his. About this time a Party of the Garrison of *Ostend*, with the Privy of the Governor held Intelligence with *Mazarine*, and after with *Oliver*, to betray the Town to the *French*, where *Oliver* was to have his Share: *Mazarine* was to send a Land-Army commanded by Marshall *d'Amont*, and *Oliver* was to provide a Fleet to Transport them; and the Articles of Agreement were agreed upon between the supposed Conspirators and the Cardinal in *April* 1658, but here *Oliver* was at greater Charge for his Fleet, than *Mazarine* was for his Army, and *Oliver* had out-bid *Mazarine* for the Bargain, but little Money was to be paid before the Town was surrendered.

The Agreement being made, upon the Fourteenth of May 1658, the Fleet appeared before *Ostend*, and the Garrison in the Fort permitted the *French* to pass and Land; but the Governour fearing if the English Fleet should enter, they might endanger the Town, with his own Hands pulled down the White Flag, and set up the Bloody Flag; but before the English Fleet could Tack about, it was fore galled by the Artillery planted upon the Fort, before it could get out of their reach; and the *French* which Landed were killed or taken every Mothers Son, to the number of 1500; the Marshal was of the number of Prisoners. This Story is pleasantly and particularly Printed in *Spanish* by one of the Agents: Translated into *English* under the Title of *Harm Watch Harm Catch*.

Mazarine, with much ado, got his Men again which were not killed; but how shall *Oliver* get his Money again, of which he had more need than *Mazarine* had of his Men; nor would *Mazarine* part with one Groat, he had been out of Pocket too much to redeem the *French*.

By this time *Oliver* was in ill Plight, Hated of all *Factions* as much as of the *Royalists*; he had nothing to trust to but a Mercenary Army, which he could not pay, and above half of these would have been content to have his Throat cut: His Means could not pay for the Intelligence he was forced to buy at home and abroad, to discover the Practices which were every day hatching against him: So as he had no Security, but in the general Fear which all the *Factions*, as well as he, had, that their Disorders might give an Occasion of restoring the King, to the Ruine of them all.

Nor were their Fears without Ground, for at this time there was an Inclination of the *Royalists* in all Parts of *England* to Rise; and the Marquis of *Ormond* was sent by the King to encourage them, having gotten a Company of Men together beyond Sea, under the Command of General *Mars* to assist them.

But *Oliver* had his Spies every where who betray'd all; the Principal of these Spies were Sir *Richard Willis* (who was always upon his Discovery of these Plots, one of the first committed to the Tower,) and one *Corker* (who had served King *Charles* the First, and was one who assisted in killing *Rainsborough* at *Doncaster*) so as *Oliver* nipped all in the Bud before they moved: Yet notwithstanding all his Diligence *Ormond* made his Escape, only to give the King an Account of the Discovery and Ruine of his Design.

Though the *Royalists* could draw no Blood from *Oliver*, yet he resolved to take some from them, yet would not do it by Juries (having had such ill Luck with them) but by a Court of Justice of his own Creatures and Nomination, Headed by *Lisle*.

Before these were hawled my Lord *Mordant*, Sir *Henry Slingsby*, Dr. *Hewet*, the two *Staley's*, *Woodcock*, *Mallory*, *Rivers*, *Dike*, and many others.

Dr. *Hewet* denied their Jurisdiction, and was Condemned for Contumacy; Sir *Henry Slingsby* Pleaded, yet was Condemned; my Lord *Mordant* was acquitted by the Majority of one Voice when *Pride* came in, who if he had been there had turned the Scales; and *Woodcock* behaved himself so well that he was acquitted: The

were Condemned, yet some for Money got their Pardons; and others who had not so much Money, for somewhat less, and Swearing themselves out of the Plot; saved their Lives; Sir *Henry Slingsby* and Dr. *Hewet* were Beheaded, others Hanged and Quartered.

Yet this Good Success gave little Comfort to *Oliver*, for to all his former Disturbances were added the Disorders of his own Family; his Son-in-Law *Fleetwood*, and Brother-in-Law *Desborough*, Caballing with the *Republicans* and *Dissenting Officers*, so as they rarely visited him; though *Oliver*, to Sweeten *Fleetwood*, promised to Name him his Successor; and to these *Lambert*, since his Discarding, joyned.

Oliver having so little Dependance on this Army, sets up another of Voluntiers, to have Eight Pounds a Year a-piece to be ready to serve him: These were a Company of Rascals, who as their Pay was little, so were their Horses Jades and Lean, a Troop of the Army-Horse would beat Ten of these; yet they served *Oliver* so far, as to seize Malignants when-ever he sent them; and were Spies over all Suspected Persons, and to inform him of their Demeanour.

All the Joy *Oliver* had in these Anxieties and Inquietudes, was in his Beloved Daughter *Cleypole*, who even to his Heart-breaking died the Sixth of August 1658, and upon the Third of September following he himself followed her, a day upon which *Dunbar* in Scotland, and *Worcester* in England, he sent so many Thousands before, for which he was to give an Account.

However *Oliver* lived, yet when he died, all the Flattering Poëts strained their Wits to that Pitch, to Celebrate his *Encomiums*, so as that they could never after arrive to it.

The Good Deeds of Oliver.

THUS in some Measure, and in *Epitome*, you have seen, if not the Life, yet the Rage of *Oliver* in his Usurpations; in which, as I have said nothing of him for Spite, having never done me any Wrong, but what was common to all the Nation: so I think in Justice I ought to do him Right wherein (as I conceive) he deserved well of the Nation.

1. By *Blake* he more Humbled and Subdued the *Algerine*, *Tripoli* and *Tunis* Pyrates, than ever any before or since did.

2. *Westminster-Hall* was never Replenish'd with more Learned and Upright Judges than by him: nor was Justice either in Law or Equity, in Civil Cases, more equally distributed, where he was not a Party.

3. When the *Norway*-Traders represented to him the Mischiefs and Inconveniencies the *Act of Navigation* brought upon the Nation (which are at large said elsewhere) *Oliver*, during his time, dispensed with it, and permitted the *English* to Trade to *Norway* for Timber, Masts, Pitch, Tar and Iron as before the Act.

4. Though *Oliver* plaid the Fool in making War upon *Spain*, and Peace with *France*, yet he made a more Advantageous Treaty of Commerce for the *English*.

English to *France*, than before they had: I have not seen it, but had this from our *English Merchants* who Traded to *France*.

5. Though *Oliver* joyned Forces with the *French* against the *Spaniard*, yet he reserved the Sea-Towns Conquered from the *Spaniard* to himself; so had *Dunkirk* and *Mardike* delivered up to him; and would have had *Ostend*, if the Garrison had not Cheated both *Mazarine* and him; thereby to be Arbitrator over the *French*, as well as *Spaniard*, when he pleased.

6. *Oliver* out-vied the best of our Kings, in rendering our Laws to the Subject in the *English Tongue*; for though *Edward* the Third (the most Excellent of our Kings) permitted Pleading in the *English Tongue*, yet he went no further; whereas *Oliver* rendered, not only the Pleadings, but Practice, and Laws themselves, in the *English Tongue*; and herein he imitated our Saviour, Common Justice, and the Practice of the most Learned and Civilized Nations.

I say he imitated our Saviour, who after his Ascension, wrought his first Miracle by Inspiring his Apostles to speak all Languages, to teach the Gospel to all Nations in their Native Tongue; and by the same Reason, all Nations ought to be instructed in their Laws in their own Tongue.

I say this is Conformable to Common Justice; for all Laws ought to be *a Priori*; for where there is no Law, there is no Transgression; and if Laws be rendered in a Tongue not understood, it's all one to those who understand not the Language, as if there had not been Laws.

The *Romans* and *Grecians*, who were the Most Learned and Civilized of all Nations, would never endure a Forreign Word in any of their Laws, least the Subject, through Ignorance of it might be unjustly Punished, when 'twas not his Fault. When *Cesar* was Murdered in the Senate, and the Senators were ready to Cut one another's Throats, *Cicero* cried out, Let there be an *Amnestia*, and for the future the Power to reside in the Senate: And you may read in his Second *Philippicks*, the long Apology he makes for suddenly using this Word in the Senate. And *Timon* asked leave of the Senate to use *Monopolion*, because 'twas Forreign to the *Latin*. And the *Romans*, as well as *Grecians*, not only instructed Youth in their Laws, but in all Arts and Sciences in their Mother-Tongue, and thereby became the most Learned of all Nations. But these Good Deeds of *Oliver* you'll soon see will not long out-live him.

C H A P. III.

A Continuation of this Treatise from the Death of Oliver, to the Restoration of King Charles the Second.

AFTER the Death of *Oliver*, there was some Grumble between the Republican Officers of the Army and Protectorian, who should Succeed : Those said, That *Oliver* when he was well, promised his Son-in-Law, *Fleetwood*, that he should Succeed ; but these said, That though *Oliver* were Sick, yet he declared his Son *Richard* his Successor ; and that this was his Last Will : And besides *Oliver's* Council, (which by the Instrument of Government, had the Power) had elected *Richard* : And so *Richard* was Proclaimed Protector, in all the Publick Places of *England*, *Scotland* and *Ireland*.

Richard thus Seated, not only the Protectorian, but the Officers of the Republican Faction Congratulate him, and under their Hand-writing, promise to be true to him ; and what *Oliver* so industriously obtained from the Mercenary Officers of the Army in *England* and *Scotland*, to Congratulate him in his Assuming the Protectorian Dignity, and to Assist him in it with their Lives and Fortunes ; is now voluntarily done, by numerous Companies of Sycophants from all Parts of the Nation, to the Number of Ninety Congratulatory Addresses ; which *Richard* had as little Good of, as King *James* had from those above Twenty Years after, When they flattered that Prince
in

in those things which tended to the Subversion of the *English* Constitutions, both in Church and State.

But *Richard's* wandering Joys faded in the Bud. For after his Father's Funeral, the Pomp whereof undid him; the Republican Officers Cabal and Conspire to Depose *Richard*, and Exalt *Fleetwood* and in Two Respects they say *Fleetwood* ought to be Protector: One, That he was truly Godly, and an expert Leader, and had been tryed to be so, in many Difficulty's: The other, *Oliver* had by his Last Will, when he was *Compos Mentis*, designed him his Successor; whereas *Richard* was substituted in a surreptitious Manner, by the Craft of some of the Council, when *Oliver* had lost his Senses.

Lambert, after he had been Discarded by *Oliver* betook himself to *Wimbleton-House*, where he turned Florist, and had the Fairest Tulips and Gilliflowers, that could be got for Love or Money: yet in these Outward Pleasures, he nourished the Ambition he entertained before he was Casheered by *Oliver*: And in these Dissentions, as Tortoise do upon the Approach of the Spring, he comes abroad, and becomes a Prime Ring-leader in the Cabal, and in due time shall be the Ruin of them all.

The first thing they Agree upon, was to Restore the Common Soldiers to their former Pay, which *Oliver* had retrench'd Two Pence a Day: And herein they shew their Good Will as *Dego* did; but how to pay the Soldiers they could no more tell, than how *Dego's* Executors should pay his Legacies.

In this Kindness to the Common Soldiers, the Officers did not forget themselves; and charge the Memory of *Oliver*, That he Ruled over them

with

with a Tyrannical and Despotical Power, turning out, and putting in Officers by his own Will; therefore they Petition *Richard*, That for the future, no Soldier be turned out of his Place, without a Council of War, nor any Action brought, but by Martial-Law: That no Soldier be tryed in any Criminal Case, but in a Court-Martial; and that the Soldiers have Power to chuse their own General.

Richard was Head of no Faction as his Brother *Fleetwood* was; nor was his Gentle and Easie Nature, a fit Match to encounter the intreaguings Designs of *Lambert*, or resist the rude Attacks of his Clownish Uncle *Desborough*, and so foresees no Help to be had for his Security, but from a Parliament.

Therefore *Richard* Summons a Parliament to Meet at *Westminster*, upon the 27th. of Jan. 1658, of the Composition made by his Father of this and t'other House; this to consist of Four Hundred English, Thirty Scots, and as many Irish.

This and t'other House met accordingly; when his House fell at Variance with t'other House, by what Right they Sate there: Nor did this House agree better with the Scots and Irish Sitting there, having no Right to Sit and Vote with the Free-born English, they being Conquered Slaves, and Creatures of the Protector: Nor did the Republican and Protectorian Factions Agree better. However, all agreed to Recognize *Richard*, Protector of England, Scotland and Ireland; yet would not agree to *Oliver's* Instrument of Government, but inveighed bitterly against it, as being extorted from a Lame Parliament, that was neither Full nor Free: But they Recalled *Overton*, who was Imprisoned

Imprisoned in *Jersey*, by the Arbitrary Will of *Oliver*, and made an Ordinance against the Meeting of the Officers of the Army, to hold Consultations, till the Parliament should determine Affairs.

This Ordinance stung the Caballing Officers to the Quick, so that they resolved to be rid of *Richard* and his Parliament too; but how to do this, or where to begin, admitted of great Debate: For to begin at *Richard* now the Parliament was Sitting, might be Dangerous, since the Parliament had so lately Recognized him; and so many Thousands of the People had Congratulated his Assumption into the Protectorate. And to begin at the Parliament might be as Dangerous, for this they thought would disgust the Nation in General; neither did they know whether the Parliament would be Disbanded by them: They therefore Resolve they'll make *Richard* Dissolve them, and take the *Odium* upon himself; and when that's done, they'll do well enough with *Richard*.

To this end, the Officers urge *Richard* to make good their Proposals; but the Protectorian Officers advised him to Seize the Heads of the Republican; which though *Richard* durst not come up to, yet he spake High, and Threatned the Officers to Casheer them.

This had a double Effect, for the Protectorian Officers, the Lord *Falconbridge*, Captain *Philip Howard*, Colonel *Ingoldsby*, *Whaley*, *Goff* and others, seeing the Meanness of *Richard's* Spirit in neglecting their Advice, leave him; and the Republican were not to be quelled with Words, but exasperated by them; so that upon the 22d. of *April* they beset *Whitehall*, and sent *Desborough* and *Fleetwood*, to beseech him to Dissolve the Parliament; and

and if 'twere not speedily done, they would set fire to the House, and Kill all who should Resist; which so frightened *Richard*, That he forthwith signs a Proclamation for Dissolving the Parliament: The Parliament thus Dissolved, *Richard's* Turn was next, to be Deposed, not One of the manifold Thousands of the Ninety Congratulatory Addressors, who promised to stand by *Richard* with their Lives and Fortunes, speaking one Word in his Behalf; and so shall such another Turn, near Thirty Years after, be served King *James* the Second.

Though *Richard* and his Parliament were out, yet something else must be in; yet before they could put in any thing else, the Republican Officers and *Ingoldsby*, *Goff*, *Whaley*, my Lord *Falconbridge* and *Howard*, after, Earl of *Carlisle*, after *Richard* and his Parliament; and take in *Lambert*, *Harrison*, *Rich*, *Parker*, *Okey* and others, whom *Oliver* turned out: But before they would set up any thing in stead of Protector, they make *Fleetwood*, General by Sea and Land, and *Lambert* Lieutenant-General.

To prepare the way for what was to be set up, the Officers prepare a Remonstrance, inveighing bitterly against the Malignants, (for so they called the Royalists) that they had Printed Lists, and marked for Destruction, the Godly; (especially the King's Judges) and therefore they would revive the Good Old Cause, and restore the *Rump* Parliament; but *William Pryn*, according to his Rude way of Writing, Answered them, That their Cause was neither Good nor Old, and bitterly charges them with Treachery and Ingratitude.

But all to no purpose; for since no better was to be had, these Officers awake the *Rump* out of their Lethargy,

thargy, wherein they had been above Five Years asleep; and now were become so miserable Leane that none but the Officers could abide the Sight of them; they could get but Forty Two together and these looked so Wretchedly, that they had much ado to get *Lenthall* to be Head again to it. But how nasty soever the *Rump* was, the first Secluded Members would have Sate with them; but the *Rump* would none of that, but set Guards at the Door of the House to keep them out.

Thus got together, they again Depose *Richard* and send *Ludlow* to do the same to *Henry* in *Ireland*. But in *Scotland* they let *Monck* alone, who promised to be true to them. Yet these were not the *Halcyon* Days the Republican Officers expected, by restoring the *Rump*; for the *Rump*, though it had been long asleep, yet remembered they were before turned out by the Officers of the Army; and that they shall do so no more, they make *Lenthall* General of all the Forces in *England*, *Scotland* and *Ireland*, by Sea and Land.

The *Rump* being Contemptible to all the Nation, and the Officers of the Army being thus divided and subdued, and like Virginal Jacks, when one was up, the other down; raised the Expectation of the Royalists, That a sudden Change would be; which could end in nothing else but Restoring the King: And the *Presbyterians* exasperated by the *Rumps* Repulse, again resolve not to sit quiet under it; and therefore a Correspondence is held between them and the *Royalists*, to Depose the *Rump*, whatever came of it.

To this end Sir George Booth rises in *Cheshire*, with whom Sir Thomas Middleton joined, but was ill Seconded by the Royalists.

This Alarum'd the *Rump*, for they expected no better from the *Presbyterians*, than the *Royalists*: And now the *Rump*, not well knowing the Man, had so little Wit as to send Lambert against Sir George; and you'll soon see Lambert shall do that by the *Rump*, which the *Presbyterians* and *Royalists* both together, could not do.

For Lambert having overthrown Booth and taken him Prisoner, though the *Rump* were mightily Joyed at it, and Voted Lambert a Gratuity of a Thousand Pound, yet this no ways altered the Designs of Lambert, which ever since the Death of Oliver, he had been hatching.

For Lambert after the Defeat of the *Cheshire-Men* (in his Return for London) at Derby, the 16th. of Sept. procured a Petition from the Officers to the *Rump*, That Fleetwood might be General of the Army, and himself Lieutenant-General: He was content to give Fleetwood the first Place, as Oliver had given Fairfax; for he knew himself to be too hard for Fleetwood, and a much better Soldier, and so would do what he list: And the greater Part of the Officers in London, Joyn with Lambert in his Petition.

The *Rump* was more Alarum'd at this Petition, than at Sir George Booth's Insurrection; so as all Prosecution against him and the *Cheshire-Men*, was at a stand; nor were the *Rump* of one Piece among themselves; for Sir Arthur Haselrig (an Hot-headed Man) was violently against the Army, and said they made the Parliament a precarious thing; and

that *Lambert* treaded *Oliver's* Steps, and his seeming Modesty in Preferring *Fleetwood*, was but a Decoy: But Young Sir *Henry* now become Old Sir *Henry Vane*, with much more Cunning, endeavoured to carry on the Designs of *Lambert* and his Faction.

However, the Majority of the Members, rather than be Deposed, Deposed *Lambert*, *Desborough*, *Berry*, *Kelsey*, *Ashfield*, *Cobbet*, *Creed*, *Parker*, and *Barrow*; and make a Council of War, without naming a General, of *Fleetwood*, *Monck*, *Haselrig*, *Ludlow*, *Morley* and *Overton*. And to Starve *Lambert* and his Officers, the Rump Vote, That no Money shall be Raised without Consent in Parliament; and he that shall do it, shall be guilty of High Treason against the Commonwealth. And the Nation to whom the Rump and Army were alike Hateful, took this for a very good Law.

However, before this Infant Council of War should be warm in their Seats, *Lambert* resolves to beat up their Quarters, and marches directly to London; but the Rump who had Intelligence of *Lambert's* Motion, would not tamely be turned out, but Appoint *Moss* and *Morley's* Regiments to Guard the House; yet *Lambert* upon the 13th. of October, with a stronger Guard, hastens to the Old-Palace-Yard, and before the Members came, set Guards upon all the Avenues to the House, not permitting any Member to enter, and sends the Speaker back into the City.

Now is the Rumps Lethargy (from which they were recovered but Five Months and some few Days) turned into a Convulsion, and the next Fit you'll see will carry it quite off.

Instead

Instead of the *Rump*, the Officers set up a new thing, which they call, *The Committee of Safety*, which consisted of Twenty Two, whereof *Vane*, *Fleetwood* and *Ludlow*, were Prime Directors.

But *Monck*, though he could not Preach and Pray with *Fleetwood*, could Fight with *Lambert*, and both he knew hated him; and so he would trust neither: And it may be out of these Considerations, he secretly nourished Thoughts of Restoring the King. And therefore *Monck* Writes sharply to *Fleetwood* and *Lambert*, taxing them and their Army, with Perfidiousness, Treachery and Ambition; and that he will stand by the Parliament, and refused to treat with *Cobber*, sent by *The Committee of Safety* to him, but committed him as a Traitor.

Monck having taken up the Cudgels, resolves not to lay them down, so long as *Lambert* and *Fleetwood* should bear Office; and in the first Place, turns out all the Officers in the Army in *Scotland*, who sided with those in *England*, whom he called *Phanaticks*; then took care to Garrison *Edenburg*, *Barwick*, and all the Forts in *Scotland*, with his Confidants; of which he had many of those Casheered by the *Committee of Safety*: However, *Monck* to Amuse the Officers in *England*, entertains a Treaty of Pacification with them.

If *Monck* was resolved to put down *The Committee of Safety*, they intend no less by him; and in the dead of the Year, and in a most bitter Season send *Lambert* with a Body (I think) of the bravest Horse in *Europe*; but the bitterness of the Season, and the tediousness of their March all in Frost and Snow, and their Hard Fare, being upon Free Quar-

ter, much abated their Beauty and Courage, by that time they got to *York*, where he found Colonel *Morgan* (a Soldier Equal, if not Superiour to any of them, or of the Age) Lame of the Gout. Him *Lambert* sent to *Scotland* to Mediate a Peace with *Monck*; but instead of Mediation, *Morgan* joined with *Monck* against him.

The *Scots* Nobility in Numbers too, proffered their Service to *Monck*; however though *Monck* thanked them, yet he did not accept of their Proffer, only desired them to take care in his Absence, That no Disturbances should be, and to Abjure King *Charles* and his Interest; which they all solemnly promised: The *Scots* too, besides their Contributions, Granted *Monck* a Tax of Thirty Thousand Pound; so *Monck* marched to *Barwick*, and pitched his Tents at *Coldstream*, a little Village on the side of *Twede*.

Rubicon thus passed, all Terms of Accommodation ceased; *Monck's* Army consisted of Four Regiments of Horse, (and those Pity-full ones) Commanded by *Morgan*, *Johnston*, *Knight* and *Cloberry*; and Six of Foot, Commanded by Major-General *Morgan*, (whom *Lambert* had sent to treat with *Monck*) *Fairfax*, *Rhede*, *Lidcot* and *Hubblethron*. *Monck* hath this Advantage of *Lambert*, That his Horses were well Fed, and his Soldiers lay in Tents; whereas *Lambert's* Horse had nothing but what they Plundered, and his Foot were dispersed into Quarters where they could get them: And at this rate *Lambert* came to *Newcastle*.

Whilst these things were doing, all was in an Hurley-Burley in *London*; the Prentices rise and arte Suppressed by *Huson*: However, the Citizens take

take the *Rump* Vote for not paying Taxes without Consent of Parliament for good Law, and therefore will pay none; and the Country follow their Example: The Soldiers too, though they would be glad of their Pay when they could get it, yet agreed among themselves, That their Officers might Fight with one another if they Pleased, but the Soldiers would Fight for none of them: My Lord *Fairfax* and the *Yorkshire* Gentry, rise against *Lambert* behind, and *Monck* marches on before; *Portsmouth* Headed by *Haselrig*, *Walton* and *Morley*, declares for the *Rump*; and *Lawson*, Admiral of the *Fleet*, stopt the Mouth of the *Thames*, Threatning the *Committee of Safety*, That unless they Restored the *Rump*, not one of them should escape.

Fleetwood and his *Committee of Safety* seeing all things now desperate, sent an Humble Message to *Lenthall*, to beseech him and the *Rump*, to take upon them the Supreme Government again, which they graciously accepted, but came staggering into the House, being miserably shaken by their Convulsion; though it lasted not Two Months, a shrewd Sign they were not long Liv'd.

The first thing the *Rump* did now they were out of their Fit, was to recall *Lambert's* and *Fleetwood's* Commissions, though they needed not have done it, for their Soldiers which before would not Fight for them, now would not keep them Company, but Deserted them; so that their Conditions were right Lamentable: *Lambert* had no Body to Fight for him, nor *Fleetwood* scarce any to Condole with him in his present Solitudes: However, the *Rump* Committed *Lambert* to the Tower.

Monck now having broken off the Treaty of Accommodation with the *Committee of Safety*, marches on, and is every Day Addressed to, that the Nation might have a full and Free Parliament; yet every one understood what was intended by it; and at *Morpeth* he met with a Letter from the Mayor and Aldermen of *London*, by their Sword-bearer, promising the Concurrence and Assistance of the City in it: And that the end for which a Free Parliament was to be called, was interpreted by hanging out the King's Picture, which was no less gazed at by them, than by the *Welchmen*, at King *Taffy's* Effigies at the *Welch-Gate* at *Shrewsbury*.

When *Monck* came into *Yorkshire* at *North-Allerton*, he was met by the Sheriff of the County, and at *York*, he was Magnificently treated by the City, and Carressed by my Lord *Fairfax*, and a numerous Gentry; and here he received into his Service, some of *Lambert's* Regiments, and sent back Major-General *Morgan* into *Scotland*, to keep all Quiet there.

The *Rump* were scarce recovered out of their Convulsion, when they fell into a terrible Quotidian-Ague, which shook them grievously; and yet could get no Physician which could administer any Comfort: They were assured they were no ways concerned in the Nation's and City's Addresses to *Monck*, for a Full and Free Parliament; they could not trust the *English* Army, nor would the Army trust them; all their Hopes was in *Monck* and his Army, yet were afraid of them: And though they were so, could not tell to whom they should complain.

However,

However, not to be utterly wanting to themselves, they sent *Luke Robinson* and *Scot*, to Congratulate *Monck's* Coming, and thank him for the *Rump's* Recovery ; but not to speak one Word of the Ague the *Rump* were fallen into.

These met *Monck* at *Leicester* and did their Errand, but *Monck* understood their Meaning, as well as they ; and was as close in concealing his Intentions, as they were of their Errand ; which was to observe, and to be a Spy upon him, in all his Motions : And *Monck* so far complied, as at *Northampton*, he made the Officers of the *Irish* Brigade, Abjure the King and his Interest.

When *Monck* came to *St. Albans*, he sent to the *Rump*, to turn all those Treacherous Soldiers, who had been so Unfaithful to them out of the City and Lines of Communication ; which the *Rump* consented to, and the Day after, the 3d. of Feb. in a Military Pomp, lead his Army through *London*, and Lodged in *White-Hall*.

But the *Rumps* Frights were without end, for now they dreaded the Return of *Charles Stuart*, (for so they called the King) more than *Sir George Booth's* Insurrection, or the Officers Rebellion ; and since they could not Fight him unless *Monck* help them, they'll try to Swear him out, and see if *Monck* will joyn with them in it. And therefore the Council of State, next Day after *Monck* came to *White-Hall*, tendred him the Oath of *Abjuring the King and Royal Family* ; which *Monck* thought not fit at present to do, but said he would consider some time of it.

The next Day after, *Monck*, attended by *Robinson* and *Scot*, went to the House, where the *Speaker*

Carrest him in a Florid Speech, Congratulating his coming to Town, and in the Name of the House, thanked him for the great Service he had done them; To which Monck in a Plain Soldier-like Answer said,

That amongst the many Mercies of God to these Poor Nations, their Restitution was not the Least; That it was his Work alone, and to him belongs the Glory of it; That he esteemed it an Effect of Gods Goodness, that he was some ways Instrumental in it; wherein he did no more than his Duty, which did not deserve the High Mark of Favour they put upon it: That he would trouble them with no Large Narratives, yet desired Leave to acquaint them, That in his March from Scotland, he observed the People in most Countries, earnestly desired a Settlement for a Full and Free Parliament; and that they would determine their Sitting, a Gospel Ministry, Encouragement for Learning in the Universities, and that the Secluded Members before 1648, might be admitted without previous Oaths.

That he had Answered, They (the Rump) were a Free Parliament, and if there were any Force upon them, he would remove it; That you would fill up your House, and then would be a full Parliament; and that you had already determined your Sitting; and for the Ministry and their Maintenance, the Laws and Universities, you had declared largely concerning them in your last Declaration. That for the Gentlemen Secluded before 1648, you had already given your Judgment, and that they ought to Acquiesce therein; but to admit Members to Sit without a previous Oath, was never done in England; yet beg'd Leave to say, That the less Oaths and Engagements were Imposed, your Settlement would be sooner Attained: To that neither the Cavalier or Fanatick Party, have

ry Share in the Civil or Military Power. Then he recommended to them the State of Scotland and Ireland, which you may read at large in the Third Part of Dr. Bates's *Elenchus*.

The *Rump* were as little Pleas'd with *Monck's* speech, as the Council of State were with his Refusal to take the Oath of Abjuring the King and Royal Family; and therefore the *Rump*, seeing he would not Swear as they would have him, will try if he will do as they will have him.

The *Common-Council* in *London* had pass'd an Order, that unless they had a Full and Free Parliament, they would Pay no more Taxes. This so startled the *Rump*, that next day after *Monck* had been at the House, they sent him to send Twelve of the Forwardest Citizens to the Tower; and to pull up the City-Posts, Chains and Portcullices; which *Monck* did; and now the *Rump* thought they had him sure enough.

And the next day, or a day after, *Praise-God Barebones*, with a Multitude of Water-men and others (who it may be could neither Write nor Read) presented a Petition to the *Rump*, for the Excluding the King and Royal Family, and that those who refused should not be capable of any Employment: For which the *Rump* thanked them; but the Success shall be no better than *Richard's* ninety Congratulatory Addresses.

This struck directly at the Authority of *Monck*; whereupon *Monck* call'd a Private Council of his Confidants, to advise what to do; wherein it was resolv'd to take a General Muster of his Army in *Finsbury-Fields* upon the Eleventh of February; and from thence *Monck* wrote to the *Rump*, That the Services

Services which he had done them were slighted whilst the Late Traitors, no less Enemies to the than the Commonwealth, had more Esteem than he; from whence else was their Kindness to *Lebert* and *Vane*, and new Offences against him; and from whence else proceeded their Respect to that Learning Heretick *Barebones* and all his Rabble; and therefore demanded that the Filling up the Members be within a Week, and their Sitting determined, and to give Place to a New Parliament.

From *Finsbury*, *Monck* sent to the Mayor, That he would Dine with him at the *Bull-Head* in *Cheshamside*, where he desired the Mayor, in the Evening to call a Court of Aldermen at *Guild-hall*. This was blown about the City, and Thousands came to *Guild-hall*, and I amongst the rest, to see what the Meaning of it should be.

About Six *Monck* came, and all the way as he came, and quite through the Hall, all the Cry was *A Free Parliament*: I saw *Monck* when he lighted out of his Coach, and went leaning upon Colonel *Cloberry's* Shoulder, into the Mayor's Court, but not one Word he said: And when he came into the Mayor's Court, he read the Letter he sent the Morning to the *Rump*, and then returned; the Cry was the same, *A Free Parliament*: *Monck* said nothing, *Cloberry* said, *You shall have a Free Parliament*. And it's not to be imagined how far the spread in so little time; for I believe in less than two Hours all the Bells of *London* were Ringing and in all the Streets (to the number, 'twas said of above Six thousand) Bonfires were made, and *Rumps* of all sorts Roasting: But that Night *Monck*

did not return to *White-hall*, but lay at the *Glass-house* in *Broadstreet*.

If the *Rump* were Netled at *Monck's* Speech, they were now ready to Die for fear; but since they could not shew their Teeth, they would shew their Backsides, and voted a Committee of Five, to order the Affairs of the Army, whereof *Monck* to be one.

But *Monck*, who but four days before was so terrible to the City, is now become their Darling, they let him have 30000 *l.* to pay his Army in the City; whereas that without was like an Herd of Goats upon the Mountains, having no Body to look after them, nor a Penny to help themselves: And *Monck* now having this Army entirely at his Disposition, Scorned, for all the *Rumps* Vote, to suffer any other of their Committee to partake with him, or any Part of his Authority over it.

And now *Monck*, with a better Authority, and more Applause than *Oliver* had, might have set up himself for *Protector*, or any thing else he pleased; but he saw the Genius of the Nation lay another way, and that it was more Secure for him to follow it, than to set up himself against it.

He held therefore private Intelligence with the Heads of the *Secluded Members* about their *Restoration*, upon certain Conditions: The *Secluded Members* were zealously disposed to oust the *Rump* upon any Terms whatever came of it; they had more to say against the *Rump*, than the *Rump* had against the Officers of the Army, who had twice deposed them; and the *Rump* began the Game with the *Secluded Members*, before the Officers began with them. So upon the 21st of *February*, *Monck* gave the

he Command of the Guard to Sir *Anthony M. Cooper* (after Earl of *Shaftsbury*) to permit the *Secluded Members* to enter the House; the first whereof was *William Pryn*, tyed to a great Basket-hilted Sword; yet the *Rumpers* were not Excluded nor did the *Secluded Members* care for it, being four for one: And so the *Rumpers* left the House and fell into a Relapse of their Convulsion, out of which they never recovered: Nor did *Barrabone's* Rabble afford them any Relief.

Thus you see how the *Rump* and *Secluded Members* were like Virginal-Jacks too, when one was up the other was down; and how Accidents vary Mens Humours and Resolution; for the *Secluded Members*, who before would not have the Nation or themselves safe, unless they were an Undissolvable Parliament: Now to be revenged on the *Rump* are content to meet only to do *Monck* some Journey-work, and then dissolve themselves.

The *Secluded Members*, after they were in, Repented their own Exclusion; then Vote *Monck* General of all the Forces in *England*, *Scotland* and *Ireland*. *Mountague* Admiral of the Fleet, set Sir *George Booth*, and those in Prison upon that Account, and Liberty; and soon after sent *Lambert* in his room and Grant a Tax for Payment of the Army, which now no Man disputed.

But *Monck's* Cares did not end here, the Army without, were more than Five-fold to his within the City; he therefore sent Letters to all the other Regiments of the Armies in *England* and *Ireland* to certify the Reason of the Re-admission of the *Secluded Members*, that without it there was no way to satisfy the Nation, or Raise Money to pay the Army;

my; and with Large Assurances of their Con-
cency in their Old Profession and Principles.

The Soldiers in General were glad to be out of
their Starving and Wandring State, and therefore
Shoals submitted to *Monck*, who yet would not
receive them, unless they would Swear to be true
to this *Parliament* (as 'twas called) which he could
not little trust to, they having so often For-
sorn themselves before; yet these at present
served *Monck's* turn; and those who refused he
disheered.

Now had Horrible Dread overwhelmed the
Generals, especially the *Regicides*; they saw them-
selves Hated by almost all the Nation, yet at
an irreconcilable Variance one with another; the
Body of the Army, which had raised them, turned
now against them; they knew the *Secluded Mem-
bers* had but a Limited time to sit; and then to
dissolve themselves, to make room for another
Parliament which would certainly bring in the *King*, to their
utter Destruction.

In this Consternation *Lambert* made his Escape
out of the *Tower*, and Colonel *Rich* refused to
submit: *Lambert* Posts to *Warwick*, where he
met *Axtell*, *Okey*, *Cobbet*, *Creede*, and some other
Disbanded Officers, with which many Disbanded
Soldiers joyned, which made up a little Army.

Colonel *Streeter*. (a Confident of *Monck's*) from
Northampton, gives *Monck* an Account of this,
whereupon the Council of State (settled by the
Secluded Members) Proclaim *Lambert* and all his
Adherents Traitors; and *Monck* sent Colonel *Rich-
ard Ingoldsbey* (a Gentleman of more true Cou-
rage than Twenty of these Sniveling Fellows,
and

and who had been before Casheered for adhering to *Richard Cromwell*, when the Officers deposed him with a strong Squadron of Horse, to joyn *Street* Foot, against them.

When these were joyned, upon *Easter-day* near *Daventry*, both Armies came within sight of one another; when *Lambert* made an Overture to *Ingoldsby* to restore *Richard Cromwell*; but *Ingoldsby* knew this Game was lost, and that *Lambert* did not mean sincerely, and so they fought; *Ingoldsby* charged home, and *Lambert's* Men could not sustain the Shock but Fled; and *Ingoldsby* (it's said) took *Lambert* Prisoner with his own Hands, *Lambert* crying, *Quarter Good my Lord* (for *Ingoldsby* was one of *Oliver's* Lords of the Other House) *Spare my Life*; and with *Lambert* were *Cobbet* and *Creede* taken Prisoners, but *Okey* and *Axtell* escaped notwithstanding but could not escape a greater Punishment than befel *Lambert*, *Cobbet* or *Creede*, for they were Hanged and Quartered for having been King *Charles's* Judges. Nor was *Rich's* Fate much better than *Lambert's*, for Colonel *Ingoldsby* at *Bury* *Suffolk* Casheered him, it's said, at the Head of his Regiment, and Disbanded it.

This was the end of this Invincible Army, subdued by not one sixth part of it self; for *Montrose* when he came from *Scotland*, had but four Regiments of Horse and six of Foot; and (I believe) not ten Men killed in their Defence; and not one in the Reduction of the Invincible Armado. And now 'tis time to see what followed; the *Second Members*, with much ado, having dissolved themselves upon the Seventeenth of *March*, issued Writs for another to meet; yet in the *Nation*

the Keepers of the Liberties of the Commonwealth of *England*, upon the 25th of *April*, the Elections to be as they were before the Year 1640. the Gazing World being big with Expectation of the Success of this Wondrous Revolution.

If we look abroad we shall see *Mazurine*, after the Death of *Oliver*, not foreseeing wherein the Confusions and Disorders in *England* would end, unless in the Restoring the King (which by Monsieur *Bourdeaux*, the French Ambassador in *England*, by all imaginable Diligence used his utmost Endeavours to prevent) now sets up a Treaty of Peace with *Spain*, and to forward it, propounds Marriage between the *French King* and the Eldest *Infanta* of *Spain*, the Younger was after Married to the now Emperor *Leopold*; and the now King of *Spain* not born. This Treaty was called the *Pyrenean Treaty*.

But as this Treaty was made in deepest Dissimulation and Treachery, so were the Preparations to it; for at the same time (the War continuing still between *Spain* and *Portugal*) the *French King* made an Offensive League with *Portugal* for ten years, not to Treat with *Spain* unless the *Portuguese* were intirely Satisfied in all their Exorbitant Demands of *Spain*; in which 'twas agreed, That the Harbours the *Portuguese* should take in *Spain*, whether upon the one or other side of the Sea, shall be put into the Power of *France*; which you may read in the first Chapter of the most Excellent Treatise of the Truly Honourable and Learned States-man the Baron *d'Isola*, Of the Buckler of State and Justice. And in regard there is so great a Connexion of the *Pyrenean Treaty*, with that of the

Life

Life of King *Charles* the Second, we will therefore be a little more Particular in it, before we enter upon the other.

The Baron in the Second Article or Chapter says The Motive Cause of the Peace was, *The Desire of the Good, Quiet and Ease, of the Subjects of both Kings.* The Object was, *To put a Period to so many Mischiefs.* The Effect, *To Forget and Extinguish all the Causes and Motives of the Wars past, and to Establish a Sincere, Entire and Durable Peace between the Kings and their Successors.* For the Attaining these Ends, the Spaniard insisted that these Points were Necessary, viz. The *Infanta's* Disclaiming of all her Right and Title to the Kingdom of Spain or any of its Dominions: And that the French should not Directly or Indirectly assist the Portuguese in their War against Spain: And by the by That the Prince of Conde should be restored to all the Estate and Governments he enjoyed, before he joyned with the Spaniard against *Mazarine* and his Faction: And that the Duke of Lorraine should be restored to his Dutchy, with all the Places which he had possessed in the Bishopricks of *Metz, Toul and Verdun.*

The Articles of the *Infanta's* Renunciation were soon agreed unto Reciprocally; but that of Abandoning the Portuguese stuck at present; the French having so lately made an Offensive League with the Prince Regent: And that the Treaty might be agreed without the French abandoning of Portugal, the French profered the Restitution of all the Places conquered from Spain during the War (but they promised more than they could perform, for *Dunkirk* and *Mardike* were not in their Power) and also other Countries

Countries, and entirely to restore the Prince of Conde.

But without Abandoning Portugal nothing was to be done, and so the French King did promise and oblige himself, upon his Honour, and in the Faith and Word of a King, for himself and his Successors, not to meddle any more in the Affair of Portugal; nor to give to it, either in General, or to any Person or Persons of it in Particular, of what Estate, Dignity, or Condition, at present or hereafter, any Aid or Assistance, Publick or Secret, Directly or Indirectly, of Men, Arms, Ammunition, Victuals, Ships or Monies, under any Pretext, nor of any thing that is or can be by Land or Sea, or any other Fashion: Nor permit any Levy to be made in any part of his Dominions: Nor grant Free Passage to those who shall come out of other Countries, which shall come to help the Realm of Portugal. And this was not only Signed by the King, but by *Mazarine*, and all the Clergy and Nobility of France.

Towards the end of this Treaty, King Charles II. about the latter end of November (when the Differences between *Monck* and the Officers of the English Army were in the highest Ferment) came to it, that his Concerns might be concerted in it; he was received by *Don Lewis de Haro* (the Spanish Minister) with as much Honour and Veneration, as if he had been possess'd of all his Kingdoms, but negligently and slightly by *Mazarine* and the French Ministers: And sure the Indignity here offered to his Person, and the Industry of *Bourdeaux* at London, in endeavouring to keep him from being restored to his Dominions, would have made another not to forget these about five or six Months after. But if the

King's Restoration came not from some other place, he might have waited long enough for it here ; for the *French* would not, and the *Spaniard* could not, give him any Assistance.

A Detection of the Court of *England*,
during the Reign of King *Charles*
the Second, &c.

B O O K IV.

C H A P. I.

*This Reign Detected to the beginning of the
first Dutch War.*

AS the Nation thought they could not be Redeemed from the Arbitrary Government of King *Charles* the First, but by the Long Parliament in 1640; so they thought they could not be Redeemed from the Confusions, Rage and Distractions they laboured under, but by Restoring King *Charles* the Second.

To gratify this Expectation, the Convention, who met on the 25th. of *April*, 1660, Hand over Head, without any Preliminaries of Asserting the Rights and Liberties of the *English*, so manifestly Violated by his Father and Grand-Father, Restored the King without any Contradiction.

Upon his Restoration, there were but Five of the Bishops living, viz. Dr. Juxton, Bishop of London; Dr. Fruin, Bishop of Chester; Dr. Wren, Bishop of Ely; Dr. Warner, Bishop of Rochester; and Dr. King, of Chichester: These Three later lived to dye in their Bishoppricks, and in the Interval between the beginning of the Long Parliament, and the Restoration of the King, (near Twenty Years) Upon the Matter, all these Leases of the Church, were expired; whereby incredible Sums of Money were Raised by the New-promoted Bishops to their vacant Sees, without any Regard to the rest of the Poor Sequestred Clergy, their Wives or Children: But the Jollity of the Convention for having got their King, put such mean Thoughts out of their Consideration.

The Hopes of the Happy Days to come under this King's Reign, quite blotted out their Remembrance of the Days of his Father's and Grand-Father's Reign: On the Contrary, to Flatter him, they Stiled his Father, *The Martyr for the English Church and State*. Now they had got him, they would hold him; he might do what he list for all them, and so he did; which the Nation submitted to, rather than return to the Confusions and Disorders of the Times after his Father's Death: Nay, the Memory of these Times was so Odious, That if even the Parliament took Notice of his Actions, his Flatterers, charged them with returning to the Parliament in 1640.

The Convention took terrible Vengeance on his Father's Judges; for though they did not all suffer in their Persons, scarce any of them but forfeited their Estates: So as these Men who would have
his

his Father's Life, and Crown-Lands for their Estates, lost their own Lives, and had their Estates added to the Revenues of the Crown; though this was but as Water poured into a Sieve, yet it's Observable, That the Instruments who acted in the King's Death, should be thus Punished, and *Lenthall* the *Speaker*, who granted the Commission to Act should escape free.

The *Presbyterians* were scarce wet with the Tail of this Storm, none of them (except those in Sequestred Livings) being Punished either in their Persons or Fortunes: And many of them were Preferred in High Places, both in Church and State.

The Poor Cavalier, or Loyal Suffering Party, who hoped for an Heaven upon Earth in this King's Reign, fell into a worse State than that they were in before: For as *Messera*y said of the Reign of *Henry III.* of *France*, *It was the Reign of Favourites, wherein the Subjects never* (it's said) *Paid so much, yet never was any King so Poor*: So it may be said of this. And the Cavalier Party having before Mortgaged their Estates to Redeem their Sequestrations, the Remainder paid the Taxes to the King, and the other Part, the Interest to the Mortgage: Nor were they any ways Countenanced by the King.

For his Favourites were a Generation of People who knew not his Father, but who Humoured him in his Sensual Pleasures and Prodigality; and were of the Female, as well as Male Sex: Who were a sort of Favourites his Father was not acquainted with, nor, do I find, he ever regarded the Memory of his Father; but that he industriously endeavoured to have it believed, the Portraiture of his Father's Sufferings of late so much controverted, was none of his.

However, his Mother had a great Ascendant over him, so that she being a Daughter of *France* inclined him to embrace the *French* Interest against his own : And she living near Ten Years after his Restoration, so fixed this into an Habit in him That in all his Life after, he could never get rid of it, notwithstanding all the Provocations of the *French* King to the Contrary : But it's time now to take a View of this King's Actions.

The Desires of the King to be Restored, were no less than those of the Nation, that he should, though upon any Terms ; for upon the Dissolution of the Secluded Members, the King left *Brussels* (as you'll soon see he left *Spain*, who had Harboured and Relieved him in the time of his Exile, to join with *France*, who had expelled him to join with *Oliver* ; and by its Ambassadour *Bourdeaux*, at this time was using all its Endeavours to keep him out) and came to *Breda*, from whence he sent Letters by Sir *John Greenville*, (after Earl of *Bath*) to *Monck*, *Mountague*, (after Earl of *Sandwich*) and the Mayor of *London*.

The *Presbyterians*, who thought to have had the same Power they had when the Secluded Members Dissolved themselves, were shrewdly mistaken, for the Body of the *Commons* were *Royalists* ; who chose Sir *Harbottle Grimston* their Speaker, and upon the opening of the Convention, the *Royalist* Lords, double more than the *Presbyterian*, entred into the Lords House ; which the *Presbyterian* complained of to *Monck*, who Answered, Now they were in, he had no Power to turn them out ; so the *Royalists* were double to the Factions in both Houses of this Convention, so as the King need not fear his Restoration.

Now Half *England*, of all sorts (except the *Rumpers*) cross the Seas to *Breda*, to make their Bargains with the King before he should come into *England*; the King promises fair to all, which it may be was impossible to perform; which caused Murmur afterward: And the Convention after they had Proclaimed him King by Inherent Birth-right, send him Fifty Thousand Pound, Ten Thousand to the Duke of *York*, and Five Thousand to the Duke of *Glocester*; and the City of *London* sent the King and his Brothers Twelve Thousand Pound.

Upon the 11th. of *May*, both Houses sent Commissioners to *Breda*, to invite the King to return; and Admiral *Mountague* with a Royal Fleet to Convey him over, who upon the 25th. Landed him at *Dover*, where *Monck* met him upon his Knees, the King Embracing him and Kissing him; and next Day at *Camterbury*, Created him Knight of the Garter, the Dukes of *York* and *Glocester*, putting the *George* about his Neck.

'Twas rather a Madness than Jollity, all sorts of People expressed in the King's Passage from *Dover* to *White-Hall*. The Nation was never so Fine in Cloaths, even the Poor Cavaliers will be as Fine as the best, though they never live to pay their Taylors; nor shall the King take any Care of them, his Favourites being of another Stamp, than those who served his Father: Never were such Pageants, Triumphal Arches, and Sumptuous Feasts seen in the City before; for which the Poor Orphans Money in the Chamber of *London*, must pay the greatest Part.

When the King was Restored, the Nation was in a Martial Posture, and the Manners of the People, generally more Severe and Sober, than in his Father's and Grand-Father's Reigns.

The first that made Court to the King, were the *Dutch*, when he was at *Bredah*, to enter into a League with them; but the King, by the Advice of Sir *Edward Hyde*, (it's said) Wisely Answered, That this would look as if 'twere done by Restraint, the King being in their Power; besides, he was not yet Possess'd of his Kingdoms, nor had Established his Privy-Council: Yet the *Dutch* were the first who Carress'd him with a most Rich and Splendid Gilded Yaght, to prepare him for a Treaty, after his Accession to his Crowns.

Nor were the rest of the Princes of *Europe*, long after the *Dutch*, in Congratulating the King's Restoration: The *French King* being one of the first, the *Spaniard* made not so much Haste, yet hoped for a better Reception than the *French*; and that the King of *Spain* might have a better Reception, he sent the Prince *de Ligny* his Ambassadors, who in the Splendor of his Train, much outvied the *French*. It's true, the Prince got a Peace with the King, for his Master the King of *Spain*, but he got as little Good by it, as the King of *Spain* did by that he made with the King's Grand-Father, King *James* the First.

With better Success came the *French Ambassador*, though I do not find he made any League with the *French* against the *Spaniard*, as *Oliver* did; nor was there any need of it, the *French* having made a deceitful Peace with the *Spaniard* at the *Pyrenean Treaty*, yet you shall soon see both Kings dealt

dealt as ill with the King of *Spain*, as if he had been an open Enemy: And the more to Indear himself with his Brother of *France*, the King rejected the Advantageous Treaty of Commerce which *Oliver* made with *France*, as done by an Usurper; and never after (at least that I ever heard of) made any other instead of it; but left his Subjects to be used even as the *French King* pleased in their Trades to *France*.

Henry the Seventh was the first of our *English Kings* who used Guards, and he set up the Yeomen of the Guard, which was followed by all the Kings of *England* since; but though the Convention had paid off and Disbanded the *English Armies*; yet the King, besides his Band of Pensioners, in Imitation of the *French*, must have Guards of Horse and Foot; and the Parliament gave him Revenue enough to increase these to what number he pleased: But it had been better for him, if he had imitated the *French* too, in preferring Men who were qualified; but few of these were to be found there: And though he gave near double the Pay to these, yet was he much worse served than if Men of Merit had been there for half the Pay; for scarce one of the Officers but bought their Places: And this was so common, that the Prizes were certain: So not he who deserved, but he which gave most was preferred; and when he was in he owed the King no Service, having paid for what he had; and so his Business was, how to Improve his Bargain, not Serve the King. And herein too, the Poor *Cavaliers* had the worst, they not having so much Money to buy as others had.

I take

I take it for granted, that the first League which the now *French King* made after he came to Majority (I mean after Twenty one Years of Age) was that of the *Pyrenean Treaty*; the Breach of all the rest before we will lay to the Charge of Cardinal *Mazarine*: We will therefore see if the *French King* was not as little a Slave to his Word in this League, as *Mazarine* was in any before; and you'll see, that in all the Leagues this King after made, he was as little a Slave to his Word, as in this Treaty.

We have in the former Book set down particularly the Article, whereby the *French King*, upon his Honour, and the Faith and Word of a King did Promise, neither Directly nor Indirectly to assist *Portugal* against *Spain*; yet at the beginning of the Treaty they Secretly conveyed Troops into *Portugal* in several Bodies: And when upon the Complaint of the Marquis *de la Fuente*, they sent Publick Orders to the Governours of their Ports not to suffer any Soldiers to Embark for *Portugal*, they did not abstain by Connivance, underhand to let them pass. Nay, when Marshal *Turenne* made Publick Levies to Assist *Portugal*, it being complained of by the Marquis *de la Fuente*, they answered, It was a particular Act of the Marshal, and the Court of *France* had no hand in it. And also continually supplied *Portugal* with Corn, and all sorts of Ammunition: And *France* also fomented the Obstinacy of *Portugal* to continue the War, when *Spain* offered them Advantageous Terms of Peace. This and much more you may read in the Second Article of *The Buckler of State and Justice*.

Nor did the *French King* stay here, but (being become the Dearest Confident with his Brother of *England*)

England) almost as soon as the King was Settled, the French sent Monsieur Courtin to move the King not to abandon Portugal: Nor did he yet stay here, but Mazarine dying about the latter end of Summer, leaving a Stone in his Heart, (so the French Pasquils said) in September or beginning of October the Queen-Mother came over, seemingly to treat with her Son for a Marriage between Monsieur of France, and her Fair Daughter Henrietta Maria, the King's Beloved Sister: Yet it seems to me the Marriage of the King with the Infanta of Portugal was not less designed, than that with Monsieur: And besides these, you will soon hear of something else which brought the Queen into England.

As the Designs of the Queens coming over were Dark; so, I acknowledge, I have not seen any of the Treatises or Transactions concerning them, but must take Measures by what followed, and so far as I had Light from what went before; yet in all of them it seems evident to me, that the Queen shewed her self to be more Affectionate to her Daughter than Son; and to be more a Daughter of France, than Queen of England.

But before I proceed, it will be convenient to take notice of the Deplorable State of Spain, which their Ambition, in seeking so many Foreign Dominions, and a Tyrannical Government, had brought it to: For before the Accession of their American Dominions, which they acquired by Unjust War, and unheard-of Cruelties, in all the ten Years War between Ferdinand and Isabella, with the Moors (who had Seven hundred Years been possessed of the Kingdoms of Granada, Murcia, and a great part of Andalusia) every Year the Moors and
Christians

Christians brought near a Hundred thousand Men into the Field to Fight with one another ; yet the Kingdoms of *Arragon*, *Navar* and *Portugal*, were Neutral in all the War : Whereas now all the Kingdoms of *Spain* (except that of *Portugal*) were united under this King *Philip* the Fourth ; yet out of this all he could not raise an Army to Fight the *Portuguese* ; but trusting to the *French Faith* in the *Pyrenean Treaty*, sent the Army in *Flanders*, under the Command of the Marquis *Caracen*, to do it.

The King embraced the Overtures of both Marriages ; and now the *French King* doubly, if not trebly, assured of his Brother of *England*, as well by the Treaties of these Marriages, as by his Message by *Courtin*, no longer Acts Covertly in Assisting the *Prince Regent* of *Portugal* against *Spain* ; but Bare-faced sent Marshal *Schomberg* with an Army and Fleet to their Assistance ; yet this Army was not sufficient to make an Offensive War against *Spain* ; but *Portugal* stood only upon the Defensive.

The Want of Money a little retarded the Marriage of the Princess with *Monsieur* ; but this might be easily help'd, if the King would give up *Dunkirk* to the *French*, whereby he might Pay 200000 *l.* for his Sisters Portion (which was more than his Father had with his Mother) and also receive 200000 *l.* more for himself. Nor was this all, he might save the Charges of Maintaining a Garrison there ; yet the Parliament in the Hereditary Excise, allowed him 60000 *l.* per *Annum* for the Support of it. I do not find this mentioned in the body of the Act, yet several Members assured me, it was so intended in the Passing the Act.

All this the King agreed to, and so *Dunkirk* and *Mardike* Fort were given up to the *French*, against all Laws of *Humanity*, *Justice* and *Prudence*.

I say it was against all Laws of *Humanity*; for the *Spaniard* Entertained and Relieved the King, when the *French* had Expelled him, and joyned with him to deliver the Usurper of all his Dominions. It was against *Justice*; for the Sovereignty of *Dunkirk*, was, of Right and Justice, the *Spaniards*. And against the Rules of *Policy* and *Prudence*; the *French* Nation being the Natural Enemies of the *English*, and the next Neighbour to it, and of all Nations the most Formidable.

It had been Happier for the Poor *Spaniard*, and the *English* Nation, if the Unkindness of the King to the *Spaniard*, had ended in his giving up *Dunkirk* to the *French*; but it ended not here, for the King employed the Army which should have kept *Dunkirk* against the *Spaniard* in *Portugal*; and with these, and another Band of the Disbanded *English* Army joyned to them; the *French*, *Portuguese* and *English*, or rather the *English* without them, routed the whole United Army of the *Spaniard* at the Fight at *Elvas*: So as now the *French* had a new Inlet into *Flanders*, and the *Spaniard* no Army to defend.

This was a foul Blot in the *Spanish* Politicks, by their King's trusting to the Faith of his Brethren of *England* and *France*. But this will not stay here, hereafter you will see.

Here I take leave so well as I can, to vindicate the Memory of my Lord Chancellor *Hide*, from two aspersions (as I conceive) cast upon him; one, That he was the Adviser of the giving up *Dunkirk* to the *French*: The other, That he was the Procurer of

of the King's Marriage with the *Infanta* of Portugal.

For the first, I was assured by a Credible Person (though a Confident of my Lord Chancellor's) that he was so far from Advising the King to give *Dunkirk* to the *French*, that only he and my Lord Treasurer *Southampton* (upon whose Honour my Lord Chancellor relied more than any other) of the Council, entred their Protestations against it. The Truth of this may be resolved, by Inspecting the Privy-Councils Books.

It's true, I cannot prove Negatively, that my Lord Chancellor did not first Propound the King's Marriage with the *Infanta* of Portugal; yet it seems to me reasonable he did not for the Reasons.

I never heard of any Discourse of this Match before the Arrival of the Queen-Mother in England; or if any were, it's probable that Monsieur *Courtin* had this in his Instructions, as well as that of moving the King not to abandon Portugal for both these tend to the same End; and the *French King*, all his Reign after, sought to attain his Ends by Women, as well as other ways: Nor can it be believed that the Prince of Portugal now engaged in War against *Spain*, should pay the Queen's Portion 400000 *l*. I believe he did what he could, give up *Tangier* and *Bombay* to the King, which he leased to the *East-India-Company* for 100000 *per Annum*, but the Money was paid by the *French King*.

Though the Factions had such ill Success with Previous Swearing, which every one imposed upon the Nation when it was Uppermost, and which

Man regarded when another succeeded; yet upon the Restoration of the King, the Oath of Allegiance and Supremacy (which latter was only imposed upon certain sorts of Men, and, as my Lord *Verulam* says, sinks deep into the Conscience; and was therefore interpreted by Queen *Elizabeth* in her Instructions, which were after confirmed by Act of Parliament) were imposed upon all sorts of People; and the Refusers look'd upon as Enemies to the King, and Favourers of the late Times.

And though the Convention sate but from the 5th of *April* 1660 to the 29th of *December* following, yet by this time the outward Face of almost all the Nation was quite changed; the *Calier Party*, under the Persecution of the late Times, lived quietly upon that part of their Estates which was permitted them after their Compositions; and the Governing Factions put on a Countenance of Godliness and Sobriety; whereas in the Jollity of the King's Restoration, all sorts of Men (even the Factions) endeavoured to imitate the Profuse Prodigality and Luxury of the Court; which scarce entertained any but upon those Terms. To Humour the King, the Publick Theaters were stuffed with most Obscene Actions and Interludes, and the more Obscene pleased the King better, who traced the Opening of them with his Presence, at the first Notice of a New Play.

In this State the Convention was dissolved, and Parliament met the eighth of *May* 1661, where that they might outvy the Convention in Loyalty; in the first Chapter, they make words to Compass or Imagine any bodily Harm, Imprisonment or Restraint upon the Body of the King; or to Depose him,

him, or Levy War against him, to be High-Treason. And if any shall any ways affirm the King to be a *Heretick* or *Papist*, shall be incapacitated to hold any Ecclesiastical, Civil or Military Employment. And that it shall be a *Premunire* in any to say, That the Long-Parliament begun in *November 1640.* is not dissolved; or that there lies any Obligation upon any one from any Oath, to endeavour a Change of Government either in Church or State; or that one or both Houses of Parliament have a Legislative Power: And declares the Oath, commonly called *The Solemn League and Covenant*, to be an unlawful Oath; and imposed upon the Subject against the Fundamental Laws and Constitutions of the Nation. And Chap. 5. Declares against Tumultuary Petitioning the King or Parliament. And Chap. 6. Declares the Sole Right of the Militia to be in the King. This Parliament, upon the Thirtieth of *July*, was Adjourned to the Twentieth of *November*.

This being but an Adjournment, and so the Acts of the Houses, for as yet the King did not Exercise his Prerogative of Proroguing them, which hereafter you will see him very Prodigal of; I do not find that this Adjournment was made, that the King might better proceed in his Bargain and Sale of *Dunkirk* to the *French*. Yet I do say that before the Parliament met, it was (as I remember in *September*) that the Bargain and Sale was perfected, and *Dunkirk* put into the Power of the *French*.

But neither the Sale of *Dunkirk* without, nor the keeping up a Standing Army within (called the King's Guards) after it was Disbanded and Paid off by the Convention, nor the King's Manner of Life, could any ways abate the Loyalty of the Parliament.

Parliament to the King; and keep him they would, whatever came of it: And to all the Provisions for Security of his Person and Power, they will add that to keep him in, which the *Rump* in its last Breath did to keep him out, viz. To Swear to keep him out. And therefore the Parliament, Chap. 2. made the Corporation-Oath, to be taken by all the Members of Corporations, viz. *I A. B. do declare and believe, that it is not Lawful, upon any Pretence whatsoever, to take Arms against the King: And that I do Abhor that Traiterous Position of taking Arms by his Authority against his Person, or against those who are Commissioned by him: So help me God.* This I think is one of the first Laws that ever was made, to Swear to Opinions and Beliefs: And sure if swearing would determine Controversies and Beliefs, all Learning, Reasoning and Instruction would be at an end; and he that Swears most is the best Logician and Godliest Man. We will therefore consider the Nature of an Oath, and those who are to take this Oath.

If we consider Man, and other Sensitive Creatures in their Creation and Generation, they were all Passive, and were Created and Generated without any Act of their Will, or the Counsel or Concurrence of any Creature, but of a Divine and Omnipotent Power; and by a Providence and Prudence not less Wise and Good, than the Power was Omnipotent, they had Food, and other Means for their Continuance in this World provided, before they were Created or Generated.

But though God, without the Act of the Will of any Creature, did make Man and other Sensitive creatures, by an Inimitable Power which he communicated

communicated to no Creature; and by an unscrutable Wisdom and Goodness did provide for them before they were Made or Generated; yet did he not in vain make them Organical Bodies, endued with Life, Sense and Motion; so that after they were Made, they might seek Food which God had before provided for them; and preserve themselves from other Creatures which might be Hurtful to them.

As Sensation is Naturally Common to Man, and other Sensitive Creatures, so are the Passions of Love, Fear, Hatred and Desire, viz. Love of those things which conduce to their Welfare and Preservation: Fear of those things which are Hurtful to them; accompanied with an Hatred of them; and a Desire of Generating their Like in other Bodies.

Besides these Attributes common to other Creatures, God endued Man with an Intellectual and Reasonable Soul, which is Proper to Man, Exclusive to other Creatures; and made all things in this our Habitable World for the Use of Man, and therefore Created Man for a Nobler End than can be found in this World, viz. Capable of Eternal Happiness in a better.

But though God made all things in this World for the use of Man, yet few things are useful to Man, but as they are made so by Humane Labour, Industry and Art; yet no Art or Science in Man is Innate or Connatural, or comes to pass by Inspiration, Fate or Chance, but by Education, Learning and Experience: We do not read that God ever made an House, Cloth, a Ship, &c. without Man, whereas Nature of her own accord has provided Food and all things necessary for other Creatures without any Act or Care of theirs: Thus Nature
cloathes

cloathed Sheep and Beasts with Wooll and Hair ;
 Fowls with Feathers, and Fish with Scales: And
 though Fowl make their Nests, and Connies and
 Badgers Berries, yet they do these by an Insitè,
 Connatural Power, not learned or taught by any
 Creature.

Other Creatres live Free and Independent upon
 one another, except the young ones of some Crea-
 tures, while they can seek their Food and Preser-
 vation; and are either Solivagous and Hurtful, as
 Foxes, Wolves and Tygers, &c. or live promiscu-
 ously in Herds and Flocks, and are Innocent Creatures,
 as Sheep, Goats, &c. whereas Men live in De-
 pendency upon one another; so as no Man can sub-
 sist by himself, but depends upon another for things
 which conduce to their Welfare and Preservation;
 and are neither Solivagous, nor live Promiscuously
 in Flocks and Herds, but in Society and Conversa-
 tion; and keep Company by Election or Choice,
 as they stand in need of other Men, either for
 their Necessity, Convenience or Pleasure; and Men
 are distinguished from other Men by their Manners
 and Conversation; so as it becomes Scandalous to
 keep Company with Debauched and Vicious Men.

As other Creatures live Free and Independent
 upon one another, so have they all things which
 Nature had provided for them in Common; where-
 as Man lives upon those things wherein he has
 Property exclusive to other Men: So that it is
 Wicked and Unjust for any Man who has no Pro-
 perty in a thing, without the Consent of him who
 has Property in it, to take it from him.

In this State of Society, out of which no Man
 lives, God did not endue Man with Understanding

and Reason in vain; for whereas other Creatures pursue their Actions, being excited by the Passions of Love, Fear, Hatred and Desire; yet Man opposes these, and governs his Actions by Understanding and Reason, so that Humane Society may be preserved.

Speech and Letters are necessary in Humane Society and Conversation; which Wise Nature (which never acts in vain) hath denied other Sensitive Creatures, which govern their Actions by Sense, and their Passions, these having no need of them. Speech is the Mean or Instrument by which Men converse to the Hearing of one another; and Letters to the Sight: Other Creatures hear the Sound of Speech, and can see Letters, but do not understand the Power of the Words, or Construction of them.

Man is born the most Impotent of all other Creatures, being Naked and Unarmed, yet he can neither Cloath or defend himself without the help of another; he has nothing to feed himself with but what he has from another; yet if he takes anything from another, without the Consent of the other, it will be Wickedness and Theft: He is obliged to live Uprightly and Justly with other Men; yet understands not how to live Uprightly and Justly, but as he is instructed by Education, Learning and Experience; he is obliged to speak and write in Truth; but neither Speech nor Letters are Insite or Connatural, but acquired by Instruction and Learning from others.

All Humane Learning, Reasoning and Instruction in Religion, Morality, and in every Art and Science is begotten from the Powers which God had bestowed upon him.

implant

implanted in the Learner, and from the Principles which were before understood by him: So that if a Man be born Blind, it will be in vain to instruct him how to be a Painter; or if Dumb, to be a Musician or Orator; or if he be not *Compos Mentis*, so as to understand the Principles from which he is to be instructed; Instruction will be as vain to him, as to teach a Dumb Man to be an Orator, or a Blind Man a Painter: So that it is from those Powers which God has implanted in Man, without the Will of Man, that Man becomes capable of being instructed by Man; and therefore Man is obliged to give God all Honour and Praise before any other, that he endued him, without the help of any other, with an Intellectual and Reasonable Soul, capable of Instruction.

The End of all Learning, Reasoning and Instruction, is how from Premises or Principles which Man before understood as an Intellectual Creature, to govern his Intentions, Speech and Actions from them in time to come rationally: So that as the Understanding is of the Causes of Things and Actions which were before; so Reason is of the Consequences of Speech and Actions in time to come. The Understanding is from the Act or Power of God, but Reason is from the Act or Power in Man. So that though a Man may instruct another who hath a competent Understanding, how to act Rationally in Consequence, yet no Man can instruct another who is a Fool or Mad-man, how to understand Principles from which he is to be instructed, so as to Judge and Act Rationally.

As every Learner is presumed to understand the Principles from which he is to be instructed, so the

Principles are Assumed, not Proved, and are to be without Question or Dispute: For if the Question of any Rational Proposition be but Probable or Uncertain, the Conclusion or Consequence, will be less Probable and more Uncertain.

For the better understanding an Oath, it will be very requisite to distinguish between Understanding and Knowledge; for Man understands Intelligible Beings, as God, the Soul, a Law, Religion, Justice, &c. which can never be the Objects of Sense, but may be said to know what he understands, sensibly, viz. of things and Actions which are perceived by Sense; as a Man, an Horse, a Tree, may be perceived by other sensitive Creatures: But that these do exist, is intelligible. So it is that Man is an Intellectual and Reasonable Creature; and that God has made all sensible things in this World, for the Use of Man, and these can never be the Objects of Sense.

As Man excells all other Creatures as he is an Intellectual and Reasonable Creature, whereby he Honours God, is Helpful to other Men, and Preserves Peace in Society, so on the contrary, Man above all other Creatures, abounds in Pride, Ambition, Arrogance, Malice, Revenge, Covetousness, and unlawful Lust, whereby God becomes Dishonoured, and the Peace of Human Society disturbed; so as it is necessary in all Kingdoms and Countries, that these be Restrained and Punished, by Civil and Coercive Laws.

Laws are Twofold, Divine and Human; Divine Laws are Twofold, viz. Natural, and Supernaturally revealed in the Sacred Scriptures; Natural which are presumed to be alike engraven on the

Mind of Man: Supernatural are those which Man obeys by God's special Favour and Grace. Natural Laws are Affirmative and Negative ; Affirmative, That Man Honour God above all Creatures, and that he Converse truly and uprightly with Man : Negative, That he does not Blaspheme, or Dishonour God, nor Wrong, or deal Falsly or Deceitfully with another, neither in his Intentions, Speech or Actions ; so that Civil Laws do not forbid Blasphemy, or Immoral Speech and Actions, but indifferently in divers Countries and Places, Punish them.

I say the Law of Nature is alike Implanted in all Intelligible Creatures ; for where there is no Law, there is no Transgression nor Omission : And therefore if all Men did not understand that Blasphemy, and Immoral Speech and Actions were Wicked, it would be Tyranny to Punish them : So as Human Judgment and Justice, are necessary for Preservation of Human Society ; and the End of Human Judgment and Justice, is, as well to restore them to Right who suffer Wrongfully, as to Punish Wrong-Doers.

It's fit here to distinguish between Knowledge and Belief ; Knowledge is immediate of those Things and Actions which fall under the Sence of Man ; and therefore not Learned or taught, but alike understood by all Men : And Verity and true Speech, is what a Man knows ; whereas Belief, is a Reliance upon what another says to be true.

In all Legal Judgment upon which Justice is executed, Judges in Civil Affairs, Assume Two Premises, which are to be without Question or Dispute, viz. some foreknown Law, and some Speech

or Act done; so that if the Law and Fact be but Probable or Uncertain, the Judgment will be but Probable and more Uncertain: But in giving Judgment, Judges do not Swear to their Opinions but make some Laws to be their Reasons for them.

A Promise is Twofold, Affirmative and Negative and is of time to come, and is a Respector of Persons. An Affirmative Promise, is a Speech or Writing wherein one or more, assure another or more, upon their Truth or Faith, to do such an Act in his or their Power, in some certain Time and Place, or to be Serviceable to another or more, for some time, or during Life, as they shall be able: A Negative Promise, is when one or more, upon their Truth or Faith, assure another, not to do such an Act; and if the Parties mutually Promise, this is a Contract.

A promissory Oath, is when one or more assure God's Name, (which implies, an Imprecation of God's Judgments upon them) that they will do or not do, what they Promise: But sure Men who give Promissory Oaths, ought to be well assured they can do what they Promise; and ought (considering the Frailty of Human Nature, and the infinite intervening Accidents which they cannot foresee, or if they could, could not prevent:) to Implore God's Assistance to enable them to perform their Promise. And I do say, and verily believe that of all Men, those who soonest make Promissory Oaths, do most break them; and that Men who are so forward to make these Promissory Oaths by them, cover their Designs of deceiving the other, more than of performing their Promise.

An Oath is so Sacred, that as God will not have Divine Adoration or Worship, to be given to any other but himself, so neither will he have an Oath to be taken by any other Name; not by the Sun, Moon, Earth, or all the Host of Heaven. And if he will not hold him Guiltless who takes his Name in vain, How Guiltless will he hold him, who Swears in vain? thereby not only lessening the Veneration due to his Name, but designing by it, to deceive another.

In all my Observations, I never knew any Man, who made no Conscience of Swearing, or taking God's Name in vain; but made less in taking Care to perform his Promises: And when I hear a Man begin with Swearing, (not duly called unto it) I suspect he has either some Design in it, or that thereby he would create a Belief to that which is not true.

But how Legally or Illegally soever these Promissory Oaths are Imposed, I never heard of any who was Prosecuted for Perjury upon them, except Mr. Long, Sheriff of *Wilts*, Prosecuted in the *Star-Chamber*, for that he had Sworn (as all Sheriffs do) not to go out of the County without Leave from the King; yet being chosen a Parliament-Man, 3. *Car. 1.* came to serve in Parliament, for which he pleaded the King's Writ, which was Leave from the King; and the Earl of *Argyle*, about the Interpretation of the unintelligible *Scottish Test*: And I dare say, That if the Oath of *Allegiance* to the King, were but once taken, it would be held in greater Veneration, than by often taking it. Upon these Premises, let's see whether the Corporation-Oath, be an Assertory, or Promissory Oath,

Oath, or neither: And in regard it is in Two Parts consider both. The First is,

I A. B. do Declare and Believe, That it is not Lawful upon any Pretence whatsoever, to take up Arms against the King.

This Part of the Oath is not Promissory, and so an Assertory, Negative Oath: Here I will not dispute whether there can be a Negative, Assertory Oath; yet I do say such an Oath can never extend farther than to him who Swears he does not know what he is required to Swear: But he can never Swear that another does not know it. So though a Man may believe it's not Lawful for a Man to take Arms against the King upon any Pretence whatsoever, yet can he never extend this further than himself.

But I say this sort of Swearing, destroys the Religion and End of an Assertory Oath, which is only to what a Man knows certainly to be true; but no Man certainly knows that an Opinion or Belief is certainly true: But though by some apparent Reason, or the Authority of another, I may be of an Opinion or Belief, yet upon clearer Reason and better Authority, I may alter my Opinion and Belief, which a Previous, Assertory Oath, can never oblige me to. In Justice therefore, an Assertory Oath, that I Believe or am of Opinion, is not admitted, unless he that testifies, Swears the Ground or Cause of his Belief or Opinion, to be certain and true of his own Knowledge.

I desire now to know, what were the Grounds or Reasons of this Corporation-Oath, which every one ought to Swear to be true, of his own certain Knowledge.

Knowledge, before he *Believes* it not to be *Lawful* upon any *Pretence whatsoever*, to take up *Arms* against the King. Or admit there might be reason for this Belief; yet if the Causes of this Belief, were not before known to the Taker of this Oath, so as the Taker knows them to be true of his certain Knowledge, This Oath, if any, is Perjury.

The other Part of this Oath, is, *And I do abhor that Traiterous Position of taking Arms by his (the King's) Authority against his Person, or against those who are Commissionated by him. So Help me God.*

So that from Swearing Negatively to Belief in the First Part of this Oath, we come to Swear Affirmatively in this Part of it: But this Part not being Promissory of time to come, is an Assertory Oath too, if any, besides the taking God's Name in vain, or worse.

An Assertory Oath is, of what a Man knows to be certainly true, and what was immediately the Object of Sense. Here a Man Swears not that he Knows, but Abhors: And what does he Abhor? *That Traiterous Position of taking Arms by the King's Authority against his Person, or those Commissionated by him.* Is Traiterous Position the Object of Sense, and immediate, so as the Swearer knows what the Meaning of Traiterous Position is? which I believe not One of Twenty does: Or is it not some Inference deduced from some Law or Usage, which cannot be the Object of Sense, and so not to be Sworn to?

The End of an Assertory Oath, is to inform the Judge and Jury, so that Justice may be determined by it: But here is neither Judge nor Jury to Inform; What then can be the End of this Swearing?

ing? Why, 'tis because otherwise the Swearer cannot be a Member of the Corporation; but if he cannot take his Word, I'll not take his Oath. And he that Swears most to get Places, is least worthy of them. And I dare say, he so much less understands his Duty in any Place, by how much more he is ready to Swear to get into it; And you will see that those Men who were so ready to Swear by this Oath which they did not understand to get to be Members of Corporations, shall be more ready to Forswear themselves in giving up their Charters, which they had sworn to maintain and keep: And which they understood they ought to do.

Religion, Piety, Judgment, Justice and Righteousness, are the ways by which God is Honour'd, and Peace and Happiness Established in Nations and Kingdoms: And will God instead of these, suffer his Sacred Name to be Prostituted by vain Swearing, so as to pass Unpunished? Did not the Prophet *Hosea*, c. 4. v. 3. of Old complain, That the Land Mourn'd because of Oaths? And hath not our Land Mourn'd ever since the Convocation, after the Dissolution of the Short Parliament, 1640, did enjoin the Oath, *I, A. B. Swear that I Approve the Doctrin and Discipline of the Church of England, as containing all things necessary to Salvation, and will not consent to alter the Government in the Church, by Arch-Bishops, Bishops, Deans and Arch-Deacons, &c.* to be taken by all the Clergy: Was God well pleas'd that his Sacred Name should be affixed to such Stuff? or Did this Establish this Hierarchie? Did not the Parliament about a Year after, expel the Bishops out of the Lords House, and Imprisoned their

their Persons, and made them and all Deans and Archdeacons, incapable of Temporal Jurisdiction? And did not *England* and *Scotland* about Two Years after, joyn in a Covenant and Swear to Extirpate Arch-Bishops, Bishops, Deans and Arch-Deacons? Did not the Engagement expel the Covenant, and the Recognition to *Oliver*, out the Engagement, till Men neither regarded what they had Sworn, nor cared what they Swore to? *Monck* before he came out of *Scotland*, caused all the Nobility of *Scotland*, to Abjure the King and his Interest: So in his coming to *London*, he did the Officers of the *Irish* Brigade, and the *Rump* dyed Abjuring the King and Royal Family; yet in less than Four Months after, the King was Restored.

Before the *Scots* would admit the King to Land in *Scotland*, the 23^d. of *June*, 1650, they made him, with his Hands lifted up, Swear in the Presence of Almighty God, the Searcher of all Hearts, his Allowance and Approbation of the *National Covenant*, and *Solemn League and Covenant*, and Directories of Worship; and not only to give his Royal Assent to Acts of Parliament enjoyning the same in all his Dominions, but to observe them in his Private Family: And upon his Coronation the 11th. of *January*, 1651, repeated the same Oath. Yet how little did this avail him or the Covenanters; for in less than Eight Months, *Cromwell* drove him and his Covenants, quite out of *Scotland*. And I dare say, the King never after made use of them in his Private Family; nor ever after gave his Assent to any Act of Parliament enjoyning the Covenants, though he were restored to all his Dominions.

From

From Swearing the Corporation-Oath, the Parliament proceeds, That all Members of Corporations Declare against the *Solemn League and Covenant* in these Words, *I A. B. do Declare, That I hold there lies no Obligation upon me, or any other Person, from the Oath, commonly called the Solemn League and Covenant; and that the same was in its self, an Unlawful Oath, and Imposed upon the Subjects of this Realm against the known Laws and Liberties of the Kingdom.*

This Declaration is as Vain and more Wild, than the Corporation-Oath; for 'tis but matter of Belief or Opinion, and so no Issue can be taken upon it: But if there could in him who Declares, yet none can be taken upon that Part, which declares there lies no Obligation upon an other; and I'll put it upon this Issue, That such a Declaration was never before enjoyed by any Law.

And if the Covenant be an Unlawful Oath in it self, because Imposed by no Lawful Authority, yet I say that no Authority under Heaven, can make the taking God's Name in vain, Lawful; much less to take a vain or superfluous Oath.

From New invented Swearing, and declaring to keep the King in the Kingdom, the Church make many New invented Prayers for him; especially that for the Parliament, wherein they tell God that the King is their most Religious and Gracious King; as if he were so, and God did not know it: And if he were not so, to perswade God he was so.

De Jove Quid Sentis? Will God be mock'd? Is not he Omniscient, and knows the Secrets of every Man's Heart? Has he any need to be informed what Man is? Or did this King's manner of Life induce the Church to inform God that he was
most

most Gracious, or full of Grace? or his devout behaviour at his seldom Presence in Divine Service, declare him to be most Religious? This King's Father and Grand-Father's Flatterers, went no higher than to flatter them, that they were bound by no Laws, and were Accountable to none but God for all their Actions; and that their Subjects were bound to obey them in all, under Penalty of Damnation: They never went about to perswade God they were most Religious and Gracious in so doing.

The Parliament Chimed in with the Church, and by the *Act of Uniformity*, enjoyns, That every one who holds any Ecclesiastical Promotion, shall Publickly declare before his Congregation, his unfeigned Assent and Consent to every thing contained and prescribed in the Book Entituled the Book of *Common Prayer*, &c. Put these together: I A. B. do Declare my unfeigned Assent and Consent, That the King (Charles II.) is my most Religious and Gracious King: If he be so, How came you to know it? and if you do not know it, How came you so unfeignedly to Assent and Consent, that he is so? But though to get your Living, you tell the Congregation so, when you do not know it, I think it's dreadful for you to tell God Almighty he is so, if you be not very well assured he is so. But you'll soon see what Care this King took of the Church of *England*, which took such Care for him.

Was God well pleased with these things? you shall soon see unjust Wars, and dishonourable Peace: Such Judgments of Plague, Fire and Invasion into our Ports, as never before were heard of: And though God's Judgments were in the Land, the
People

People did not learn Righteousness; but continued a divided and factious Nation; and a People laden with Iniquity: The Honour of the Nation not only lost abroad, but the joyning with a Neighbouring, Faithless, Boundless and Ambitious Prince, to the endangering the Subversion of the Religion, Constitutions and Liberties of the English Nation. Now let's see what is doing in Scotland.

If a Man reads *Buchanan's*, and *Drummond's* History of Scotland, they will better judge of General *Monck's* prudent Government and Conduct in it for Eight Years together: For from the Contest between *Bruce* and *Baliol*, for the Succession to the Crown of Scotland, about the Year 1280, till *James VI.* came to the Crown of England, I scarce find Five Years Peace together, in any of the Reigns between: And if for some time the Scots were freed from Open War, yet scarce at any time were they freed from Feuds among the Nobility, or the Nobility at Discord and Variance with their Kings.

After the Reformation of Religion in Scotland, which began in the First Year of Queen *Elizabeth*, by her assisting the Nobility with an Army by Land, and a Fleet by Sea, whereby the French sent by *Henry II. of France*, (Father of *Francis* the Dauphin, who had Married *Mary*, the Scottish Queen) to subdue Scotland to a Conformity to the Romish Church, were routed: The Kirk of Scotland set up a Jurisdiction Independent from the Civil, as the Romish was; and held it in, during the Reign of *Mary*; and after they had expelled her, and chosen her Son *James* King, (about Fourteen Months Old,) in the Regency of *Murrey*, they got their Church-Discipline Established

Established by Act of Parliament: This was in the Year 1567.

The Kirk being possess'd of this Power during the Minority of King *James*, and several of the Nobility having got a great share of the Crown-Lands of *Scotland*, the King upon his Majority was so Poor, that he was not in a Condition to keep up the State of a King, much less to curb the Insolence of the Kirk, the Nobility who had got the Crown-Lands, joyning with them.

Though Queen *Elizabeth* did not Love the Kirk-Party, yet was she content to have *Scotland* in this State; for thereby she preserved the *English Borders*, free from the Depredations which the *Scots* usually made upon them; and therefore secretly Countenanced both the King and Nobility, who had got the Crown-Lands: However, she allowed the King a Pension Yearly, whereby she kept the King, as well as Kirk and Nobility, depending upon her.

In this State *England* and *Scotland* stood, till the Death of Queen *Elizabeth*; but it was ill timed of King *Charles* I. to grant Commissions to enquire into the Crown-Lands, Usurped in his Fathers Minority: And soon after to endeavour to set up *Land's* Injunctions, and High Commission in *Scotland*, which made the Nobility as well as Kirk, so fierce in opposing them.

King *Charles* offended at the Proceedings of the Parliament of *England*, in 1641, goes into *Scotland*, and Establishes the Kirk in all their Pretentions, and disclaims all Title to the Crown-Lands, Usurped in his Father's Minority; which no ways mollified either: But next Year the *Scots* sent an Army under *Lesley* (made an Earl by the King) against

him in Aid of the *English Parliament* : But though the Kirk and Nobility were thus Insolent against their Kings, they patiently submitted to *Monck* during his Government in *Scotland*, except some few Disturbances made by General *Middleton*.

For neither *Cromwell* nor the *Rump* before him trusted to the *Scottish Oaths*, or *Solemn League and Covenant* ; but after they had subdued them, bridled them with Forts, built upon the Principal Passes of *Scotland*, and disarmed all the Nobility and Gentry, and thereby kept them in Peace, which *King Charles* by all the Condescensions he submitted to could not procure : Add hereto, That the Common sort of *Scots*, lived in more Freedom under *Monck*, than under their Lords and Lairds ; so that neither the Kirk or Nobility, could form the Body of an Army against the *English*.

Before the King was Restored, the Army which would have kept him out, was dissipated the Year before by *Monck*, and after his Restoration, was Disbanded ; and so the *English Nation* was restored to its former Government : But it was not so in *Scotland*, for not only the Forts which bridled them, but the Army which conquered them, was still kept up. Nor had the *Scots* any Hopes of being freed from these Fetters, but by an intire Submission to the King.

Upon the King's Restoration, many Debates were in the Council in *England*, about the calling a Parliament in *Scotland*, and the Demolishing of Forts, for keeping the *Scots* in Subjection ; but neither were so easily determined ; for in all *Scotland*, after *Montrose* was Butchered, I do not find that there was one of the Nobility, except his Son who

which were not *Popish* or *Presbyterian*; and the *Presbyterian Party* had been so Rigid against the King when he was in *Scotland*, and Intollerable to his Father, that above a Year past, before any Resolution was taken in either.

Lauderdale, as before said, was taken Prisoner after the Fight at *Worcester*, and from that time, kept Prisoner in *Windsor-Castle*, from whence he was set free upon the King's Restoration; but became so Poor, That it's said, he could not meet the King, for want of Money to pay for a Pair of Boots.

This Imprisonment was doubly Happy to him; for during the Restraint of his Body, he enlarged the Faculties of his Mind; and being a Man of Parts, improved them, by Contemplation and Study, wherein he met with more Helps, than it may be, he could have found in *Scotland*; whereby he became of greater Abilities, to serve the King, than could be found in any other of his Country-Men; and being in *England*, found better Opportunities to have them known to the King, than any of his Absent Country-Men could.

In the late Wars between the King and Parliament, he, with Sir *John Cheesley*, were ordered Commissioners by the Kirk-Faction, to the Parliament in *England*, for Propagating the *Presbyterian Government*: But this being most detestable at Court, *Lauderdale*, to raise himself, set himself, with all his Skill, to oppose it; and by it at first, got to be made Principal Secretary of State of *Scotland*, and as Runnagado's from Christianity, became the greatest Persecutors of Christians: So was *Lauderdale* of the Kirk and *Presbyterian Government*:

Government. However, *Lauderdale* seemed Zealous for calling a Parliament in *Scotland*, and Demolishing the Forts that bridled the *Scots*, which *Monmouth* opposed; and hereby *Lauderdale* became Popular in *Scotland*; so that all Applications to the King from thence, was by *Lauderdale*.

In this State it was not easily determined, who should be Commissioner in *Scotland*, in case a Parliament should be called; for Affairs were not yet ripe enough to make a Popish one; nor would the Court trust a *Presbyterian* one: And *Lauderdale* would not forsake his Post at Court, where he Governed all, but continue it, that all the Motions in Parliament, might receive their Life from him. At last it was Agreed, That *Middleton* (who first served the Kirk against the King, *Charles*, and after changing Sides, made some Bustle in *Scotland*, after the King left it) should be Created an Earl, and made Commissioner, and a Parliament should be called in *Scotland*.

The Nobility and Gentry of *Scotland*, clearly saw there was no other way to redeem *Scotland* from being a Conquered Nation, and a Province to *England*, but by an Intire Submission to the King: *Lauderdale* knew this as well as they, and therefore resolved to make them pay dear for their Deliverance; and now you shall see the Nobility and Gentry, which with the Kirk, United against King *Charles* I. Divide under his Son, and Sacrifice the Kirk, and all their Discipline, to make an Attonement for themselves. The first Act which was shewed herein, was upon this Occasion.

The fiery Zeal of the Kirk-Men, burnt up all the Rules of Prudence, or the Consideration of the Present

Present State of *Scotland*; so that even in this State, Crowns and Scepters must submit to the Kirk; and that the King might know his Duty, a Company of them met together, and drew up a Supplication (as they said) but in nature of a Remonstrance to the King, setting forth, the Calamities they groaned under in the time of the Usurpers, by their Impious Inroachments upon the Kingdom of Jesus Christ, and the Liberties thereof; which of themselves, they were not able to suppress and overcome, and the Danger of the Popish and Prelatical Party, now beginning again to lift up their Head, and press him to mind his Oaths and Covenant with God, &c.

The *Committee of Estates* well knowing how ungrateful this would be to the King, upon the 23^d. of *August*, 1660, sent a Party and Apprehended these Men, whereof one Mr. *James Guthry* was the Chief, (of whom you'll hear more hereafter) and Committed them Prisoners to *Edenburg-Castle*, and from thence *Guthry* was sent Prisoner to *Dundee*, for Treasonable and Seditious Reflecting on his Majesty and on the Government of *England*, and the Constitution of the Committee of State; and tending to raise new Tumults, and kindling a new Civil War among his Majesty's good Subjects.

This was the first Spark, which soon burnt into such a Flame, as totally consumed the whole Kirk-Party in *Scotland*, and left them in a much worse Plight than before, when they suffered under the Usurpation (as they called it) of the *English*.

For during the late Usurpations, the Kirk enjoyed a Liberty of Conscience; but it's the Nature of some Men, that unless they may Persecute

other Men to exclaim they are Persecuted themselves; and therefore (since they were not able to do it themselves) they minded the King of his Covenant with God, to Extirpate Heresie Schism, and Profaneness; and to remove the Stumbling which the King had given them, in admitting Prelacy, Ceremonies, and Service-Book in the King's Chapel, and other Places of his Dominions.

But these Men were mistaken in their Measures; for after the King was expelled from Scotland, by Cromwell: He little (I may say never) observed the Directory of Worship, Confession of Faith, and Catechisms in his Family, according to the National, and Solemn League and Covenant, as he repeated in his Coronation-Oath, and less the Establishing the Presbyterian Government in England and Ireland, and least of all in Scotland.

For one of the first Acts of the first Sessions, was an Anniversary Thanksgiving, to be Observed upon every 29th. of May, with this Proem.

The States of the Parliament of the Kingdom of Scotland, taking into their Consideration, the sad Condition, Slavery and Bondage, this Ancient Kingdom has groaned under, these Twenty Three Years, (the time when the Troubles arose in King Charles the First's Reign) in which, under very specious Pretences of Reformation, a Publick Rebellion has been by the Treachery of some, and Misperwasion of others, violently carried on against Sacred Authority, to the Ruin and Destruction, so far as was possible of Religion, this King's Majesty and his Royal Government, the Laws, Liberties and Property of the People, and all the Publick and Private Interests of the Kingdom: so that Religion its self, hath been Prostituted for the

Warrat

Warrant of all these Treasonable Invasions made upon the Royal Authority, and Disloyal Limitations upon the Allegiance of the Subjects : Therefore upon the 29th. of May, be set apart for an Holy Day, &c. Yet soon after the King's Restoration, he wrote to the Presbytery of *Edenburg*, promising to Countenance the Church as by Law Established; but *Lauderdale* knew his Mind better.

Here it's Observable, That in 1638, when the Kirk were so Zealous, with lifted up Hands in the Presence of the Eternal God, to Swear to Establish their *National Covenant*, there was not one of the Nobility, (but the *Popish*) except the Marquis of *Hamilton*, and the Earl of *Traquair*, but joyned with the Kirk, expressly against the King's Command: *Traquair*, the Kirk-Party Proceeded against as an Incendiary; and after, *Hamilton* secretly joyned with the Covenanters, for which King *Charles I.* made him Prisoner in *Pendennis-Castle*; from whence he was discharged when *Fairfax* had it Surrendred: And not one of the Nobility, (except *Argyle* and *Cassels*) but declare this, and all the Kirk-Proceedings since, Treasonable Rebellion against the Laws, Liberties and Property of the People, and Prostitution of Religion; and this Declaration was Celebrated with a double Sacrifice, the Marquis of *Argyle* being Executed as a Traitor, for holding Correspondence with *Cromwell*; and his Head set where *Montross's* stood, on the *Monday* before: And Mr. *Guthry*, on *Saturday* after, for refusing to own the Jurisdiction of the Judges in Ecclesiastical Affairs; and his Head set upon one of the Ports of *Edenburg*.

This was a sad Prefage to the Kirk of what followed: For as they without the King, would Impose their *Solemn League and Covenant* upon *England*, now by the King and Parliament, an Oath of *Allegiance* (in the very Nature, if not the Words of the Oath of Supremacy in England) is Imposed upon them; wherein they are to Swear, *That the King is the Supreme Governour over all Persons, and in all Causes, &c.* And, *That they will Maintain, Defend, and Assist his Majesty's Jurisdiction aforesaid against all deadly Enemies and shall never decline his Majesty's Power and Jurisdiction, as they shall answer it to God.* And all Persons who refuse to take this Oath, to be incapable of any Publick Trust, and to be looked upon as Persons Disaffected to his Majesty's Authority and Government.

And the Eleventh Act of the First Session says That it is the Inherent Priviledge of the Crown and undoubted Prerogative of the Kings of *Scotland*, to have the Sole Power of Choosing Officers of State, &c. and of Holding and Dissolving Parliaments, &c. And, That it is High Treason in any of the Subjects, to make Leagues with Foreigners, or among themselves, without his Majesty's Authority first had, &c. And therefore the *League and Covenant*, and all Treaties thereon are not Obligatory; and that none presume to Require, or Renew the Swearing the said *League and Covenant*.

The next Act (I cannot say of Parliament, for it was purely Arbitrary) was the total rooting out the *Presbyterian Government* in *Scotland*, and upon this Occasion.

Mr. James Sharp, Mr. Hamilton, Mr. Fairwel, Mr. Loghton, (but whether sent for by the King, or sent by the Kirk-Party, I do not find) came in 1661, to London, and were Ordained Deacons and Presbyters, and after, Consecrated Bishops, by the Bishop of Winchester, and Two other Bishops: The Acceptance of which was a Renunciation of their *Presbyterian Ordination*; nay, it was a Declaration of the Invalidity of their former Ordination, and thereupon, the King on the Sixth of September, 1661, Issued out a Proclamation, Declaring his Royal Pleasure to be for the Restoring the Government of the Church of *Scotland*, to be by Arch-Bishops and Bishops, as it was exercised in the Year 1637; and that he had Nominated and Presented Arch-Bishops and Bishops, to their several Bishopricks, and to have the same Authority they had in the Reign of his Grand-Father. Thus you see the *Presbyterian Government*, which was set up by such odd Swearing, without the King, is by his Sole Authority, utterly Subverted.

In Obedience to this Proclamation, the Privy-Council the Ninth of *January* following, did Discharge all Ecclesiastical Meetings in Synods, Presbyteries and Sessions, until they be Authorized by the Arch-Bishops and Bishops, upon their Entry unto the Government of their respective Sees; which was to be done speedily.

Though this Proclamation, and Intimation of the Privy-Council, had prevented the Parliament, yet to make sure Work of both, the Parliament in their Second Sessions, *Redintegrated the Bishops to the Exercise of their Episcopal Function; and to all their Privileges, Dignities, Jurisdictions,*
and

and Possessions due, and formerly belonging thereunto.

And another Act did Ordain all Ministers to repair unto their Diocesan Assembly, and concur in Acts of Church-Discipline, as they should be thereunto required by the Arch-Bishops, or Bishops of the Diocese under Pain of being Suspended from their Office and Benefice, till the next Diocesan Meeting for their Fault: And if they Amended not, to be deprived, and the Church to be declared vacant.

In the Year 1649, (when there was no King in Israel) the Parliament at the Instance of the Kirk by the Thirty Ninth Act, Discharge all Patrons the King not excepted, from Presentations to Church-Benefices, for that the Estates of Parliament were sensible of the great Obligations that lieth upon them by the National Covenant, and the Solemn League and Covenant, and by many Deliverances and Mercies from God, and by the late Solemn Engagement and Duties, to preserve the Doctrine, and vindicate the Liberties of the Kirk of Scotland, and advance the Work of Reformation therein, to the utmost of their Power. And considering that Patronage and Presentation of Kirks, is an Evil and Bondage, under which, the Lord's People, and Ministers of the Land, have long groaned, and that it hath no Warrant in God's Word, but founded on the Common Law, and is a Custom Popish, and brought into the Kirk in time of Ignorance and Superstition; and that the same is contrary to the Second Book of Discipline, in which upon solid and good Grounds, it is reckoned among the Abuses that are to be Reformed, and unto several Acts of the General Assembly: And that it's Prejudicial to the Liberties of the People, and Planting of Kirks; and unto the free calling and entering of Ministers unto their Charge.

This Act did not long hold, for next Year Cromwell entred *Scotland*, and overturned all the Tables of *Presbytery*: Nor was this much mended after the King's Restoration; for in the Second Session of the first Parliament 1662, the Parliament did ordain all *Ministers* who had entred to the Cure of any Parish, within Burgh or Land, in, or since the Year of God 1649, to have no Right unto, or up-lift the Rents of their respective Benefices, modified Stipends, Marsh or Glebe, for this Instant Year 1662, nor for the Year following, unless they should obtain a Presentation from the Lawful Patron, and have Collation from the Bishop of the Diocess where he liveth, before the twentieth of September next.

Though the High Commission which *Laud* so zealously endeavoured to erect in *Scotland*, was put down by Act of Parliament 1661, in *England*, yet the King by the Inherent Right of his Crown, and by Virtue of his Prerogative Royal, and Supreme Authority in Causes Ecclesiastick, erected one in *Scotland*: The Commissioners were partly Ecclesiasticks, and partly Lay-Men; who, or Five of them; whereof one to be a Bishop, had a more arbitrary Power over the Clergy, than was Practised in *England*, under *Laud*, and more than *Laud* could have expected, for an High Commission for *Scotland*, in the King's Father's Reign.

Thus you see the Kirk, which would be a distinct Table, and independent upon the Crown of *Scotland*, was by the Prerogative of it, Committed to the Arbitrary Mercy of the Prelates, whom for above Four and Twenty Years, they had been railing against, and by many Oaths, Swore to Extirpate.

But

But the Tribulations of the Kirk for the time to come, do not end here: For the Parliament resolve to Stigmatize them for their Actions past and therefore upon the Fifth of September 1661 they form a Declaration to be Subscribed by all who shall have any Publick Charge, Office, or Trust within the Kingdom, in these Words.

I——do sincerely Affirm and Declare, That I judge it Unlawful to Subjects, upon Pretence of Reformation or any other Pretence whatsoever, to enter into Leagues and Covenants, or to take up Arms against the King or, those Commissionated by him; and that all the Gatherings Convocations, Petitions, Protestations, erecting and keeping Counsel-Tables, that were used at the beginning, and for carrying on the late Troubles were Unlawful and Seditious. And particularly, That those Oaths, whereof the one is called the National Covenant, (as it was Sworn and Explained in the Year 1638, and thereafter) and the other Intituled A Solemn League and Covenant, were, and are in themselves, Unlawful Oaths; and were taken by, and Imposed upon the Subjects of this Kingdom, against the Laws and Liberties of the same: And that there lies no Obligation upon me, or any of the Subjects, from the said Oaths, or either of them, to endeavour any Change or Alteration of the Government, either in Church or State, as it is now Established by the Laws of the Kingdom. Thus you see the Parliament throw this upon the Son, which his Father so zealously contended for, even to the Loss of his Life: and when they had done all they could, the Son little cared for what they had done.

For the Year after, viz. 1663, the King granted a Toleration, and Indulgence to Dissenters from the Church. Thinking Men, thought this strange, that the King should the Year before, pass the Act of Uniformity, as the best Means to secure the Church against Popery and Fanaticism, and this, grant a Toleration. It could not be in Favour of them termed Fanaticks, who kept him from his Crown; and last Year Venner with his Party, would have expell'd him again: And this Year, Swarms of Pamphlets were spread abroad, to defame his Person and Government: For Printing some of which, Twyne the Printer, was Hanged.

Thinking Men, considered too, the time when this Indulgence was granted; for as the King in the Sale of *Dunkirk*, chose to do it in the Interval of the Sitting of the Parliament, so he did grant this Indulgence (I think) in *November*, when the Parliament was Prorogued to *February*.

But though the Parliament would take no Notice of the Sale of *Dunkirk*, they did of this; and therefore the *Commons* upon their Meeting, entred into a serious Debate about it, and made an Address to the King, Humbly representing, *How it would reflect upon the Wisdom of the Parliament, to have such an Alteration made so soon, and that for ought they could foresee, would end in Popery*: And sure the *Commons* were true Prophets herein. However, whether the King fearing the Continuance of the Indulgence might retard the *Commons* in giving him Money, or that time was not yet ripe enough to insist upon it at present, he recalled his Declaration: So that though the King did Establish an High Commission in *Scotland*, by his Prerogative Inherent

Inherent in his Crown, which the Parliament agreed to in *Scotland*: Yet this Indulgence had not the like Effect in *England*.

This Indulgence may seem more strange, if we look into *Ireland*, where the *Irish* this very Year were contriving a Massacre of the Protestants, and holding Intelligence with the *French King*, which you may read at large in *Plunket's Tryal*, and there proved by Popish Witnesses. I do not find the *Irish* had any Countenance herein by the King; nor do I believe the *French King* acquainted his Brother of *England*, with it: Yet the Insincerity of the King's Intentions, of any Benefit the Protestant Dissenters should have by this Indulgence, will appear, when the Parliament seeing the Danger which the Prosecution of Protestant Dissenters might bring upon the Nation, had Prepared Bills for the Ease of Protestant Dissenters, that the King would not pass them.

However, the Memory of the Rage and Tyranny of the late Times, took deeper Impression in the Parliament, than the fear of Popery intended by the King's Toleration and Indulgence, and therefore the Parliament from new invented Swearing and new invented Declaring, proceed to new invented Laws against Dissenters and Conventicles; and the Act of the 16. *Car. 2. c. 4.* does declare the 35. of *Eliz. c. 1.* to stand in full Force, and ought to be put in Execution: And did also Enact, That if any Number above Five, more than the Family, shall meet in any Assembly or Conventicle, upon Colour or Pretence of Religion, in any other manner than is allowed by the Liturgy and Practice of the Church of *England*, shall be committed Prisoners for

for the first Offence, there to remain for a Term, not exceeding Three Months, unless such Offender shall pay a Sum of Money, not exceeding Five Pound; for the Second Offence, to be committed to Prison for a Term, not exceeding Six Months, or pay a Sum not exceeding Ten Pound; and for the Third Offence, to be Transported beyond the Seas for the Space of Seven Years, unless he pay One Hundred Pound.

I will not dispute the Justice of these Laws; but I say no Human Laws can divest Men of Human Nature, but that Man as well as all other Creatures, will endeavour by such Means as they are endued with, to preserve their Being and Subsistence in this World. And herein I again observe the Unhappy State of this Nation in the Education of Youth in *Grammar Schools*, and our *Academical Learning*, (as 'tis called) For though a great Part of the Youth of *England*, have Means to maintain them, after they have lost their time of Youth, under this unprofitable Breeding, whereby they are no ways Instructed how to live and converse in this World, yet Double, if not Treble Numbers of Youth, are thus Bred, who have little or no Means to maintain them after they become Men, and more than can be maintained by the Revenues of the Church, as they are Established.

I say therefore, this kind of breeding Youth, shall eternally create Feuds, and a kind of Civil War, between those who are in Church Preferments, and those excluded from them; and these for their necessary Subsistence, shall become Patrons of Factions opposite to the Church, within the Kingdom, and to the promoting the Popish Interest without.

without. In the late Times, when the *Presbyterians* bare the Sway, were there not enow of that Party to supply the Vacancies of the Sequestred Clergy? besides such Swarms of the Patrons of Independency, as were more numerous than they and who turned them out: Yet was there a large Relict for to promote the Popish Faction. Upon the Restoration of the King, when the Sequestred Clergy were restored, were there not Multitudes of such Clergy as would have Conformed, yet could not get any Preferment in the Church? Thus concluded, what other means had they to subsist, but to become Nurseries of Factions, which were opposite to the Church? And though these Laws were intended against Protestant Dissenters, who had no other means of living but by dissenting, yet you shall soon hear of another sort of Dissenters; and these secretly countenanced by this most Religious and Gracious King, which shall be much more dangerous to this Church and State, than those against whom these Laws were made. And I say, the Unreasonableness of Separation from the Communion of the Church of England will no more prevent this, than the *Origines Sacrae*, by not only confounding, but inverting all Rules and Methods of reasoning, proving a Deity, or the Authority of the Sacred Scriptures thereby making them the Creatures of a Creature and the Productions of a Fantastick Brain.

C H A P. II.

*A further Account of this Reign, to the
End of the Second Dutch War.*

THE King being thus established in *England* and *Scotland*, though he was not so in *Ireland*, this Year shows the Effects of his Power, by making a War upon the *Dutch*; and even this War, it was believed, was carried on by *French Councils*; For so long as the *English* and *Dutch* stood United, it would be very difficult, if not impossible, for the *French King* to encrease in Grandeur, either by Sea or Land, if the *English* and *Dutch* should oppose it. However, the outward Appearance, seemed otherwise on the *French Part*; for in Favour of the *Dutch*, he made War upon the *English*, though to no Benefit of the *Dutch*, other than by the Influence of his Party upon the *English Councils*. But to return his Courtesie, the *Dutch* during this War, built him Six great Men of War; and the *Dans* joining with the *Dutch* and *French* against the *English*, built the *French* as many more; so that whilst the *English* and *Dutch* were fighting with one another to destroy their Men of War, the *French King* looked on, and without fighting, increased his.

The *English* and *Dutch* had been above Eighty Years Competitors in the *East-India*, *African* and *American Trades*; so that if either had a Mind to quarrel, it would not be hard to find an Occasion

for it. Queen *Elizabeth* kept so severe an Hand over the *Dutch*, that they durst not presume to give the *English* any cause of Offence, during her Reign; nor do I find the *English* gave them any in King *James's* Reign: Yet the *Dutch* gave the *English* a most abominable one, in the Business of *Amboyna*.

The World taking Notice of the vast Power at Sea, and Wealth which the *Dutch* acquired by their Fishery upon the Coasts of *England* and *Scotland*. King *Charles I.* required a Tribute or Acknowledgment from them, about the Year 1630, as a Right belonging to his Crowns of *England* and *Scotland*. The *Dutch* were resolved not to part with their Fishery, and unwilling to pay the King any Acknowledgment for it; and instead of Payment, set *Hugo Grotius* to work, with his Pen to discharge it: Which he did in a little Treatise called *Mare Liberum*.

The King to vindicate his Sovereignty, set *M. Selden* (then at ill Terms with him, for I think he was a Prisoner in the Tower, for not submitting the Debates in Parliament, to the Cognizance of the Council-Table and Court of *King's-Bench*) to write *Mare Clausum*, in Answer to *Grotius* his *Mare Liberum*. Yet this is observable, how much *Dutch Interest* governed their Reason; for soon after, (I will not say the certain time) in all the Manifestos in the *East-Indies*, the *Dutch* stiled themselves Sovereigns of the *Southern Seas*: And as for you'll hear how they exercised this Sovereignty over the *English*.

But King *Charles*, (though he raised Ship-Money upon Pretence of suppressing Pyrates, and for

Safety

Safety of the Nation) in *May* 1636, Issued out a Proclamation, forbidding the *Dutch* and all Foreign Nations, Fishing upon the Coasts of *England* and *Scotland*; which the *Dutch* little regarding, set out for this Fishery notwithstanding: Whereupon the King Commanded the Earl of *Northumberland*, with a Fleet of Sixty Men of War, to take an Account of their Disobedience: The Earl with this Fleet, fell in upon the *Dutch*, and dispersed them, and cut their Nets, so as the *Dutch* were forced to seek for Shelter in the King's Harbours; where they were detained till they made a Composition to pay the King Thirty Thousand Pounds Sterling Yearly, for Licence to Fish: And this was all the Action done, by raising Ship-Money for the Safety of the Nation, (whereof the King was sole Judge) and Suppressing Pyrates.

The *Dutch* in return, next Year, or the Year after, upon Pretence of taking in Fresh Water, seized upon *New-York*, in *Long-Island* in *America*, and change the Name into *New-Amsterdam*; but at this time things were in highest Ferment, both in *England* and *Scotland*, about establishing *Land's Taxations* in *England*, and erecting an High Commission in *Scotland*, by the King's Supreme Ecclesiastical Power, which the King was so intent upon, that he neglected to call the *Dutch* to an Account for their Surprisal of *New-York*.

In the Year 1643, the *Dutch*, by Virtue of their Sovereignty in the *Southern Sea's*, by one *Geland*, in an Hostile manner, between *Goa* and *Maccão*, in the *Straits* of *Malaga*, made prey of the *Bona Esperanza*, and spoiled her of all Tackle, Apparel, Furniture, and all the Goods and Lading in her,

in her Return of a very hopeful Voyage from *China*, and carried them to *Batavia*, where without due process of Law, they were Confiscated; and the same Year, the Ship called the *Henry Bonaventura*, being come on Ground near the Island *Mauritius*, was seized with all her Goods and Lading, by the *Dutch East-India Company*, and kept from the Owners: And these Actions, both in the *East* and *West-Indies*, were done in time of Peace, between *England* and *Holland*.

These Ships were set out by the Earl of *Shrewsbury*, Sir *William Courten*, Sir *Paul Pindar* and others, by Virtue of a New Charter granted by King *Charles the First*, in the Year 1635, and he laid the Foundation of a much more advantageous Trade for the *English*, than that of the *East-India Company*: For the *Northern* and *Middle* Parts of *China*, are Cold or Temperate, and so our Woollen Manufactures would have been very acceptable to them; whereas they are of little use in the *Southern* Parts of *India*, and all the Islands in the *Indian Ocean*, which lie in the *Tropical* Zone.

The Earl of *Shrewsbury*, Sir *Paul Pindar*, and Sir *William Courten*, being Royalists, took no satisfaction in the late Times: Nor did the *Rump* made any of these, Causes of the War between the *Dutch* and them; nor did *Oliver* at the Peace he made with the *Dutch*, take any Notice of these Violences used by the *Dutch* against the *English*, or the Honour of the Nation; yet he would not by his Peace, discharge the *Dutch* from the Business of *Amboyna*, but this was referred, 'twas said, to the *Cantons* of *Switzerland*, to determine

determined by them; but was never after regarded.

But King *Charles II.* being at better Terms with his Parliament and Subjects than his Father, the next Year after his Restoration, viz. in 1661, sent Sir *Robert Holmes* with a Squadron of Men of War, and some Soldiers to *America*, with which he reduced *New-York*, and all that which the *Dutch* had taken from the *English* in *Long-Island*: And from thence Sir *Robert Holmes* Sailed to *Africa*, and took *Cape Verd*, and some other Places, where the *English* had Factories.

And about the same time, the Earl of *Shrewsbury*, with *William Courten*, (Grandson of Sir *William*) and the Executors and Creditors of Sir *Paul Pindar*, represented their Case to the King; who by Letters under the King's Sign Manual, demanded Reparations of the States for these Depredations by Sir *George Downing*, the King's Envoy, without any Satisfaction.

Thus things stood, when the *Algerines* being at War with the *English* and *Dutch*, the *Dutch* by their Ambassadour, desired the King in 1663, to joyn a Squadron of Ships with the *Dutch*, to reduce the *Algerines* to better Terms, which the King did, and sent a Squadron under Sir *John Lawson*, to that end: And the *Dutch* sent another Commanded by *De Ruiter* seemingly, but not designedly, for to joyn Sir *John* against the *Algerines*.

For *De Ruiter* after he had entred the *Streights*, abandoned Sir *John Lawson*, and Sailed to *Cape Verd*, and dispossessed the *English* of their Factories, nor did he stay there; but Sailing thence, he attempted *Barbadoes*, but was beaten off with Loss:

But with better Success, he Sailed to *Long-Island* where he made great Depredations.

This Double-dealing of the *Dutch*, alarum'd the Parliament, so as they petitioned the King to make War upon the *Dutch*, and the King was well disposed to it; (having before designed it as many thought, and so took this Occasion for it) next were the City of *London*, less forward than the Parliament for promoting this War; and upon that account, furnished the King with several Summs of Money, for which both Houses gave the City Thanks, upon the Twenty Fifth of November, 1665.

The King the Day before, made this Speech to the Commons. Mr. Speaker, and You Gentlemen of the House of Commons, I know not whether it is worth my Pains to endeavour to remove a vile Jealousy which some ill Men scatter abroad, and which I am sure will never sink into the Breast of any Man, who is worthy to sit upon your Benches; that when you have given me a Noble and Proportionable Supply, for the Support of a War, I may be induced by some evil Counsellors, (for they will be thought to think very disrespectfully of my Person) to make a sudden Peace, and get all the Money for mine own Private Occasions.

But let me tell you, and you may be confident of this, That when I am compelled to enter into a War for the Protection, Honour and Benefit of my Subjects, I will (God willing) not make a Peace, but upon the obtaining and securing those Ends for which the War is entered into; and when that can be done, no good Man will be sorry for the Determination of it. But the War was not declared till the Twenty Second of February following: But here I observe, That neither my late

Chancellor

Chancellour *Hide*, nor my Lord Treasurer *Southampton*, were Present in Council at it.

It may seem strange to any Man Conversant in our Government, That the King in less than Four Years and an Half after his Restoration, should be in such a Necessity of borrowing such Sums of Money of the City: For the disbanding of the Army, was paid by the Convention and Parliament, and the Parliament had settled the Excise on him, which was cessed at 500000 *l. per Annum*, and the Customs at 600000 *l.* and Chimney-Money worth 150000 *l. per Annum*, and 12. C. 2. Cap. 26. granted the King the Arrears of Twelve Months Assessment, commencing the Twenty Fifth of December, 1659, and (C. 29.) gave the King 70000 *l.* and (C. 34.) also the *Post-Office*, worth 50000 *l. per Annum*; and in the 13. Car. 2. Cap. 3. vested in the King the Arrears of the Excise and new Imposts; and in the Second Session, (Cap. 3.) the Parliament gave the King 1270000 *l.* and (Cap. 5.) a voluntary Contribution; and (C. 8.) gave the Poor Cavaliers 60000 *l.* that the King might never hear more of them; and (C. 9.) granted a further Relief for the Poor and Maimed Officers, which had served the King's Father: And also (Cap. 15.) Four Intire Subsidies by the Laity, and Four by the Clergy; besides all the forfeited Estates both in England and Ireland.

So that the Excise, Customs, Chimney-Money, *Post-Office*, and forfeited Estates, at a moderate Computation, may be computed at 1600000 *l. per Annum*; a new Addition to the Crown, which Queen Elizabeth had not: Only the Court of *Wards* was exchanged for Part of the Hereditary Excise. And, if

you compute but Six Months Arrear of the Twelve Months Assessment at 70000 *l.* per *Mensem*, beginning at *Christmas* 1659, this will amount to 420000 *l.* and the Arrears of the Excise and new Impost at 300000 *l.* and 70000 *l.* granted the King, 12. *Car.* 1. 29. and the 1270000 *l.* 13. *Car.* c. 3. and the voluntary Contribution at 300000 *l.* and the Four Subsidies granted by the Clergy and Laity at 400000 *l.* besides the new added Revenue of 1600000 *l.* per *Annum* to the Crown, the King in less than Four Years and one half received 2860000 *l.* or Two Millions Eight Hundred and Sixty Thousand Pounds.

Yet the King paid no Debts of his Father's, nor do I find he built any new Men of War, nor made any War, except that last Year against the *Algerines*: It's true, he married his Sister, but had twice her Portion of the French King for the Sale of *Dunkirk*, and also Four Hundred Thousand Pounds Portion with the Queen. Now let's see how things stood in *Scotland*.

During the Earl of *Middleton*'s Commission, the Parliament of *Scotland* granted the King so great a Revenue that the King signified his Pleasure, not to raise any more, but though *Middleton*, in the general Opinion, had done more in *Scotland* than could have been expected; yet *Lauderdale* thought he had not done enough; and therefore got the Parliament to be dissolved, and a new one to be called in 1663, and the Earl of *Roths* (the Ringleader of the Presbyterians in the Reign of *Charles* the first, and was the first that subscribed the Letter to *Lewis* the XIII. for his Aid, by the Appellation of *An Roy*) to be made Commissioner.

The King's Supremacy in all Ecclesiastical and Civil Matters, and so great a Revenue, as the King could ask, was settled by *Middleton*, one would have thought no more could be done ; yes, another Law must be passed, *Intituled the Humble Tender* : Whereby the Kingdom of Scotland is obliged to raise the King Twenty Thousand Foot and Two Thousand Horse sufficiently armed, and furnished with Forty Days Provision to be in a Readiness at his Majesty's Call : And also that all Scotch Men, from Sixteen to Sixty, if the King should have further Use of them, should hazard their Lives and Fortunes, as they shall be called by his Majesty, for the Safety and Preservation of his Sacred Person, Authority, and Government, to march into any Part of his Dominions of Scotland, England, or Ireland, for the suppressing any forreign Invasion, or intestine Troubles, or any other Service wherein his Majesty's Honour, &c. was concerned : And this Law it may be, was the Equivalent, for which the Forts were demolished. Though *Rothes* were Commissioner when the Act passed, yet *Lauderdale* assumed to himself the Glory of it, and it's observable, that this Act passed the same Year, and about the same Time the King issued out his Declaration of Indulgence to the Dissenters in *England*.

Thus you see, as the Parliament of *Scotland* out-run the Parliament of *England* in Loyalty to the King ; so at least they went Hand in Hand with them in granting the King more Aids than he would ask of the Subjects of his ancient Kingdom.

Never had King of *England* or *Scotland* their Debts so easily paid, or was one Tenth Part so highly caressed by their Subjects, in a Time of Peace : Was it not strange then that the King should be in
such

such Necessities for Money as to borrow such great Sums of the City for carrying on this hasty War before the Parliament should meet to supply him?

Whereas, when Queen *Elizabeth* came to the Crown, her Revenue, besides, the Court of Ward and the first Fruits of the Clergy, was but 280000. *per Annum*, and the Crown left in Debt by her Father, Brother, and Sister, (which she afterward paid) and for the Four First Years of her Reign the Parliament gave her but one Subsidy and Two Fifteens (about 120000. *l.*) yet in these Years she fitted up her Navy Royal, so as it was not only superior to those of all the Neighbouring Nations but of any Prince in the World; and also sent a Fleet and Land Army into *Scotland*, with which she expelled the *French* out of it: And the Parliament in the Fifth Year of her Reign, gave her but another Subsidy and Two Fifteens, wherewith she assisted the Princes of the reformed Religion in *France*. Whereas the Parliament, in the fifth Year of the King's actual Reign, gave him 2467500 *l.* for carrying on the War against the *Dutch*.

I will not dispute the Justice of this War, yet sure never was any made with such Precipitancy and Inconsideration both Abroad and at home; for the King entred into no Alliances, or Confederations Abroad in it; so on the contrary *France* and *Denmark* (our next Neighbouring Nations) joyned with the *Dutch* against the King; and that though the *Spaniard* stood Neuter in it, yet the King had little Reason to expect any Benefit from him, having been so used in the King's Sale of *Dunkirk* to the *French*; and joyning with the *Portuguese* and *France* against the *Spaniard*.

And as the King had made no foreign Alliances abroad, so had he not laid up any Naval Stores at home; and which was worse, he had the Act of Navigation (though made by the Rump, yet the Parliament 13. *Car.* II. confirmed it, or set the Royal Stamp upon it) to struggle with to supply himself with Naval Stores for carrying on the War. For the Rump were as hasty in making the Act of Navigation, as the King was in entering into this War, and made it general, without any Consideration of Time, either in War or Peace: And herein their Zeal to make this Law, out-run their Wit or Memory; for these very Men, about Ten Years ago, *viz.* 16. *Car.* I. 21. (which yet stands unrepealed) taking notice of the Manifold Mischeifs, though in Time of Peace, which happen'd by reason the Importation of Gunpowder was prohibited, contrary to the Law, *viz.* That the Price of Gunpowder was excessively raised, many Powder-Mills decayed, the Kingdom much weakened and endangered, the Merchants much damnified, many Marriners and others taken Prisoners and brought into miserable Captivity and Slavery, many Ships taken by Turkish Pirates, and many other Inconveniences thereby ensued, and like to ensue: Therefore this Act made the Importation of Gunpowder, Salt-Petre, and Brimstone, free to Strangers as well as Natives; and a *Premunire* to hinder it. Whereas, in this War, if the *East-India* Company shall set double or treble the Price upon Salt-petre, or if their Ships should miscarry; yet by this Act, it is Confiscation of Ship, Goods, Tackle, Apparel, and Ammunition, for the Subjects of any other Nation, to import Salt-petre or Gunpowder.

The

The King, though this were a Naval War, having laid up no Stores for it : Yet, if the Swedes from any Port of *Norway* but *Gottenburg*, or if the *Brandenburger*, *Lubecker*, *Hamburger*, or *Emden*, should import any from any Port of *Norway*, any rough Hemp, or Flax from *Leifland* or *Prussia* for making Cordage or Sayls : This had been Confiscation of Ships, Goods, Guns, Tackle, Ammunition and Apparel by this Act.

This Act restraining the English in the *Naval* Trade, and to our Plantations, to navigate their Ships by Three Fourths English : The King was forced to Man his Fleet with pressed Men, the greater Part whereof were Land and Water-Men. Whereas, if it had been free for the *English*, during the War, to have imployed Foreigners in these Navigations, the King might have above Twenty Thousand of his best Sea-men more than he had to Man his Fleet, and the City of *London*, and other Parts of *England* throughly supplied with Coals at half the Prizes, and with more Security.

The King, by reason of this Act, in the first Year of this War, was forc'd, in the Dead of Winter, to send Sir *John Harmon* to *Gottenburg* with a Squadron of Men of War for Masts, Pitch and Tar, where, by the Coldness of the Season some of the Ships were frozen up, and many of the *English* lost their Noses, and were benumbed in other Parts with the Cold : Yet, all agreed if the King had not been supplied with Naval Stores by this Fleet, he could not have fitted out a Fleet next Year.

These things, though evident to any Stander by, yet the Parliament took no Notice of them : However, the King wisely dispensed with the Act of Navigation.

igation, so far as it related to the Importation of Naval Stores, and Hemp and Flax, with this different Success, that though the Parliament, the Year before, boggled at the King's dispensing with the Penal Laws against Dissenters; yet they took no notice of the King's dispensing with the Act of Navigation.

Though this War was thus hastily begun, yet was it managed more carelessly and prodigally than any ever was before : The Officers of the Fleet, like those of the Guards, bought their Places to sell their Lives; the poor common Sea-men not paid, and wanting Money to pay their Quarter, were forced to take Tickets for less than half their Wages : whilst Favourites swelled into incredible Riches by the Ruine and Spoils of the Nation : The innumerable Prizes taken from the *Dutch*, were so far from contributing to the Charges of this War, that many of them were given to Women, and Favourites, and became a Charge to the King ; no Inspection must be into the defraying the Monies given for the War, for this was to distrust the King : The Officers who had bought their Places in the Fleet, instead of minding their Business, made it their Business how to be Gainers for the Purchase of their Places, and caball'd how they might improve their Interest at Court.

However, the King receiving no Satisfaction from the *Dutch*, for the Injuries done to Sir *William Courten* and Sir *Paul Pindar* upon the 17th. of May 1665. granted Letters of Reprizal to Sir *Edward Turnor* and *George Carew*, their Executors, &c. against the *Dutch*, till they should be satisfied. 1516121. This Grant to stand in force notwithstanding

ding any Peace to be made, till Sir *Edward Turner* &c. were fully satisfied of the said Summ, with their Costs and Damages.

Sir *Thomas Allen* opened the first Sea-Campaign by falling upon the Dutch *Smirna* Fleet, and took Four of them richly laden, and the 3^d. of June following, the English Fleet, commanded by the Duke of *York*, Prince *Rupert*, Admiral of the White, and the Earl of *Sandwich* of the Blue, fought the Dutch off of the Coast of *Harwich*, where the Dutch were put to Flight: *Opdam*, the Admiral was blown up, and *Cartinere*, *Stillingwolf*, and *Stam* Flag-Officers killed, and Eighteen of the Dutch Fleet sunk and taken; and if it had not been for fear of disturbing the Duke in his next Nights Sleep it's believed the whole Dutch Fleet might have been destroyed. But in this Fight the English lost the renowned Earl of *Marlborough*; who, though Admiral, in King *Charles* the first's Reign, died a private Captain in this Fight, Rear Admiral *Sampson* was killed in it, and Vice Admiral *Lawson* soon after died of his Wounds.

The Duke of *York* was of too inestimable a Value to be ventur'd any more in this War, for in his Person the Hopes of this War, and Declaration of Indulgence, resolved: So the Earl of *Sandwich* was made Admiral, Sir *Thomas Allen* of the White, and Sir *Thomas Tiddiman* of the Blue Squadrons.

The Dutch were so damaged in the first fight, that they were not in a Condition to set out another Fleet this Year. But the Dutch having lodged their *East India* and other Fleets in *Bergen* in *Norway*, the English Fleet sail'd thither to attack them in it.

But Sir *Thomas Tiddiman*, who was ordered to
 it, did not sail into the Harbour as he might
 ve done upon his first Approach, but sent to the
 overnour of the Castle to treat without ; the
 each within, alarumed at the Danger, set all Hands on
 ork that Night, so that by the Morning they had so
 rtified the Castle, that it was impossible for the *En-*
 ight to force a Passage; and the Weather growing boi-
 erous, it being towards the latter End of *September*,
 the English Fleet were forced to return, nor could the
 each Fleet stay in *Bergen*, and in their Return Home,
 wo of their richest *East-India* Ships, and about
 ighty Sail of their other Ships fell to the *English*
 are; but though they were deep laden when the
 ighty took them, they became much lighter before
 ey came into the *English Harbour*.

It seems God was not pleased with these things,
 or this Year he sent an horrible Plague which raged
 ver almost all the Parts of *England*: The greatest
 plague which happened since *Edward* the 3d's Time
 in *England*, was in the first Year of this King's
 Grand-Father: Yet a greater in the first Year of
 his Father's Reign; and now a greater than either
 in the first Year of his actual Reign; and as the
 plague drove the Parliament to *Oxford* in his Fa-
 ther's Reign, so did it now in his.

But neither the Mourning of the Land because
 of Oaths, the Plague, this Dutch War, nor the
 King's Declaration of Indulgence for dispensing
 with the penal Laws against Dissenters could abate
 the Parliament's Zeal in prosecuting Potestant Non-
 conformist Ministers, but they made a Law called
 the *Five Mile Act*; whereby they were banished Five
 Miles from any Corporation or Market Town, and
 had this Oath impos'd upon them. F

I A. B. do declare that it is not lawful, upon Pretence whatsoever, to take up Arms against the King and that I do abhor that Traiterous Position of taking up Arms, by his Authority, against his Person, any that are commissioned by him in Pursuance of such Commission. And I do swear, that I will not at any time to come endeavour the Alteration of the Government either in Church or State, so help me God.

The poor non-conforming Ministers did quietly submit to this in *England*, but the Presbyterians did not so to the high Commission erected in *Scotland* for about this Time they rose in Arms at *Pembroke* against the Persecution of the Prelates who disturbed them in the Execution of their Ministry, but were soon broken, and a terrible Execution followed upon them as Traitors and Rebels.

In *England* the Parliament at *Oxford* granted the King 1250000 *l.* for carrying on the War against the *Dutch*: And in the Spring 1666. the Plague ceasing, the King set forth a Fleet under the Command of Prince *Rupert*, and the Duke of *Marle*; Sir *Thomas Allen* Admiral of the White, and Sir *William Berkley* of the Blew: But the *Dutch* and *French* now try to do that by Craft which they could not do by Force and plain Dealing: And to this purpose it was given out that the *French* had fitted up a strong Fleet to joyn the *Dutch*; and this so prevailed upon the King and Council, that upon the 29th. of *May* (a remarkable Day) when the English Fleet was riding in the *Downs*, Prince *Rupert* in all Haste was ordered with the white Squadron to sail to the West to fight the French Fleet coming to joyn with the *Dutch*, I desire to be particular

cular in some Part of what followed, because I had from Sir *John Harman* himself, who was Vice-Admiral of the Blue.

At the same Time Prince *Rupert* sailed from the Fleet, the Dutch put out to Sea, the Wind at North-East, a fresh Gale; this brought the Dutch Fleet on the Coast of *Dunkirk*, and carried the Prince to St. *Helens*, on the Isle of *Wight*: But the Wind suddenly turning into the South-West, blew a strong Gale which brought the Dutch and Duke to an Anchor; when Captain *Bacon* of the *Bristol*, by firing his Guns, gave notice to the Duke of the approach of the Dutch.

Hereupon the Duke summoned all the Captains on board him, not to consult whether to fight the Dutch, but to order them to weigh Anchor and fight the Dutch. This was the 1st. of *June*, the Wind at South-West, blowing a stiff Gale, so that the Dutch were forced to cut their Cables, not having Time to weigh Anchor, and though the English had the Weathergage of the Dutch, yet the Wind so bowed the English Ships that they could not use their lowest Tire, when they came up to fight the Dutch.

Sir *William Berkley*'s Squadron lead the Van: But the Duke, when he came on the Coast of *Dunkirk*, to avoid running on a Sand, made a sudden Tack, which brought his Top-Mast to the Board, whereupon he was forced to ly by Four or five Hours till another was set up; but the Blue Squadron knowing nothing of this, sail'd on, fighting through the Dutch Fleet, which were Five to One to the Blue: Here Sir *William* was killed, and his Ship (the *Swift* - a 2^d. Rate, and all her Guns Brās) taken, so

was the *Essex*, a Frigate of the Third Rate, and Sir *John Harman* in the *Henry* got among Nine Ships of the *Zeland Squadron*, commanded by Vice Admiral *Everts*; and these so disabled the *Henry*, that *Everts* offered Sir *John* Quarter if he would yield, but Sir *John* told him 'twas not come to that yet, and gave him a broad Side and kill'd *Everts*.

Hereupon this *Zeland Squadron* failed to assist their Fellows being ind, and only left Sir *John* to the Mercy of three Fire-Ships: One of which grappled the *Henry* on her Star-Board Quarters: The Dutch Fire-Ships do not take Fire at first as the English do, but first raise a Smoak incredibly stinking, and as thick as nothing can be seen at the least distance, as it could not be seen where the Fire-Ship's Grappling Irons were fixed, but upon the Fire-Ship's taking Fire, Sir *John's* Boat-swain swung himself into the Fire-Ship, and by the Light of the Fire, found where the Grappling Irons were fixed in the Fire-Ship and let them loose, and got on board again.

But another Fire-Ship grappled the *Henry* on her Lar-board Quarter-Deck, and took Fire, and Sir *John's* Chaplain and about fifty more skip'd into the Sea; whereupon Sir *John* ran among the Mariners and threatned to kill any other, who did not assist in quenching the Fire; whereupon Sir *John's* Cabin-Boy seeing the Sails on Fire, with wet Cloaths encountered and put it out, but the Cordage being burnt, the Cross-Beam fell upon Sir *John's* Leg and brake it.

By this Time the Third Fire-Ship made towards the *Henry*, but Four Pieces of Canon laden with Cross-Shot, disabled her, so that Sir *John* set up her Masts, and brought the Ship into *Harwich*,

the next Day after fitted her up, and though his Leg were broke, went out to Sea again to have fought, but the Fight was over before he could come up to the Fleet.

In this Day's mad Fight, wherein the English could make no use of their lower Tire of Guns, and therefore Sir *Thomas Tiddiman* (Rear-Admiral of the Red) refused to engage : The English were much damnified in their Rigging, yet next Day the Duke engaged the Dutch again, though above double his Number of Ships, and the Dutch hourly receiving fresh Supplies ; so he did the Day after, the Third of *June*, when the Duke caused several of his most disabled Ships after he had taken out their Men, to be burnt, and had but Sixteen Ships left able to fight, with which he retreated, putting them between the Dutch and his unburnt disabled Ships.

Towards the Evening the English espied the White Squadron making up towards them; but the English engaged with the Dutch, striving to make their nearest Way to meet the White Squadron. The *Prince Royal* (it may be the best Man of War in the World, and best gunn'd) commanded by Sir *George Askew*, run on a Sand and was lost and Sir *George* made Prisoner ; yet next Day the Fleets fought again, and by the Help of the White Squadron, the English Fleet, with much ado, got into Harbour again; leaving it a Problem whether it were a greater Treachery to divide the Fleet, or Madness to fight the Dutch with the rest, when they could not use their lower Tire of Guns.

The English and Dutch thus engaged at Wars at Home, the French King, instead of sending his in-

visible Fleet into the Channel to assist the *Dutch*, sends a visible Fleet to the subduing the *English* in their Plantations in the *Leeward Islands*, and almost totally expelled the *English* out of *St. Christophers*; and interrupted them in their Trade to their other Islands, and assumed a Sovereignty in those Seas; where at present we leave him, and return to *England*.

The Loss and Damage which the *English* sustained in the last Fight, gave the *Dutch* an Opportunity to put out to Sea, and ride braving upon our Coast Three Weeks or a Month, before we could repair and fit out another: But upon the Seventeenth of *July*, the *English* put to Sea again, where upon the *Dutch* retreat to their own Coasts, where the *English* again engage them upon the Twentieth Fifth, where they beat the *Dutch*, and forced them into their Harbours: In the Fight, *Everts*, (Brother to *Everts*, killed by Sir *John Harman*) Admiral of the *Zealand Squadron*, *Tirich Hides* of the *Frisland Squadron*, Vice-Admiral *Conder* and Six Captains, and Vice-Admiral *Banker's* Ship, and the best Ship of *Harlem*, were taken and burnt; the *English* lost but one Ship Commanded by Captain *Haiman*.

The *Dutch* thus driven in, gave the *English* an Opportunity to burn the Village of *Brandaris*, in *Schelling*, and fire above an Hundred and Fifty Sail of the *Dutch*, within the *Fly*.

Upon the Sixteenth of *August*, the *Dutch* put to Sea again; and now the *English* had Ten or Twelve Men of War more than the *Dutch*; (which was the only time in this, and the other *Dutch* Wars the *English* had so many Men of War as the *Dutch*)

and to the Amazement of Standers by, the *Dutch* forsook their own Coast, and sailed towards the *French*; for which no other Reason could be given, but that the *French King* (who equally loved the *Dutch* and *English*) had decoyed the *Dutch* to joyn that invisible Fleet, which we divided ours to fight with.

The *English* pursued the *Dutch* through the *Straits* between *Dover* and *Calice*, and were ready to engage them, when by a terrible Storm, the Wind drove the *English* to an Anchor at *St. Helen's Point*, where in the Passage, the *St. Andrew* (a Second-rate Ship) broke her Back upon a Sand, and the *Dutch* came to an Anchor in the Bay of *Bulloign*; and the Wind about the Eighth of *September* turning, brought the *Dutch* home before the *English* could engage them.

And in that Instant *September* the Second, as near as could be conjectured, That this Storm arose, which saved the *Dutch Fleet*, the City of *London* flew on Fire; nor did the Desolation made by the Fire, end in it; but when it was over, by Order of Council, all the Houses upon the *Tower-Ditch*, to the number of about Two Hundred were pulled down, to preserve the *Tower* from the Danger of another Conflagration, now the City was burnt.

The firing of the City of *London* so soon succeeding the Division of the Fleet, caused a strange Consternation, not only in Mens Minds in *London*, but in all the Nation, That there were Designs to ruin the Nation as well on Shoar, as at Sea; whereupon infinite Varieties of Idle Tales and Stories were Printed, as well as said; so as though a general Fear of Plots against the Nation was evi-

dent, yet in this Confusion, the Cause from whence the City of *London* became fired, was not only smothered, but the Means of searching into it, prevented: Herein I will take notice of only Two Particulars, both which are mentioned in Sir *H. C.*'s Speech in the Third *Westminster-Parliament*, which met the Twenty First of *October*, 1680.

In *April* One Thousand Six Hundred Sixty Six, next before the Fire of *London*, several Persons confest they had been treated with, and had treated others to burn the City of *London* in *September* following, though the Parliament were then sitting; and this a matter of State, proper to be enquired into by Parliament, yet these Men were Hanged, so as no further Enquiry could be made into it, and all those who were taken in carrying on the Work, discharged, except one *Hubert* a *Papist*, who confessed that he and others, set the City on Fire.

Upon this *Hubert* was Condemned, but I do not find he was ever examined who those other were who joyned with him in it, or who set him on work; But this I find, that Mr. *Hawles* in his Remarks upon *Fitz Harris's* Tryal, f. 5. says, That the *Commons* resolving to examine *Hubert* upon this Matter, the next Day *Hubert* was Hanged before the House sate, and so could tell no further Tales.

Those who excused the firing of *London* to have been by Design, or that *Hubert* had any Hand in it, said *Hubert* was Mad, and knew not what he did or said; And why then would they let him be tryed upon it? for it is not only contrary to our Laws, but to the Law of Nature and Humanity, to try
and

and convict a Mad-man of any supposed Crime, when he is incapacitated to make any Defence, as a Mad-man is. And though the *Statute* of the 33. *H. 8.* cases of High Treason Ordains, That if a Man be Mad after he had committed High Treason, yet he should be tryed for it, and executed; yet this only extends to High Treason, upon which *Hubert* was not tryed, but even this Law being seem'd Inhuman and Cruel, was soon after Repeal'd: But this Case of *Huberts* only lead the Van, you'll hear of others of like Nature, which followed.

I remember very well, that when it was blazed about that *Hubert* was Mad, and the City in Ruin, that *Hubert* was carried to shew where he fired the City, and though it were in its Ruin, *Hubert* shew'd those who brought him where it began: I confess I was not present then, but such was the Fame of it, which I never heard to be contradicted.

This Year the Parliament, that they might not less contribute to the *French Grandeur* by Sea, than the *Rump* had done by the *Act of Navigation*, make a Law (18. *Car. 2. c. 2.*) against Importation of *Irish Cattel*; which in regard it is the only Law since the Creation, which was ever made by any Prince or State, to make things necessary for Preservation, and Convenience of Human Subsistence, scarce and Dear, we will more particularly make these Observations upon it.

The Reason given for this Law, was, That the Importation of *Irish Cattel*, had fallen the Rents and Value of the Lands of *England*, and were like to fall more.

Observation I.

It's true, the Rents and Value of the Lands of *England*, were fallen at this time Considerably but not from the Importation of *Irish Cattel*; for Lands are valuable as Trade is, more or less; and Money more plentiful: And we have shewed that the Severity used by the Bishops in One Thousand Six Hundred Thirty Six, had sent many of our Woollen Manufacturers into *Holland*, as much to their Enriching, as our Impoverishment: That by the Treaty of *Munster*, in One Thousand Six Hundred Forty Eight, the *Dutch* became Partakers with us in the *Spanish Trade*, whereby above all others, we were enriched; that by reason of the *Act of Navigation*, we have upon the matter, lost the most beneficial Trades to *Hamburg*, and in the *Sound*, with our Woollen Manufactures; and besides the eternal fixing the Fishing-Trade upon the Coasts of *England* and *Scotland*, to the *Dutch* by this War, we have totally lost the *Greenland Fishery*, and the *Dutch* partake with us in the *Island* and *Westmony Fishing-Trades*, and the *French* to the *Newfound-Land*: That by *Oliver's* breaking with the *Spaniard* and joyning with the *French*, the *Dutch* got all the Riches of the *Spanish Trade*, whilst we were bound to be Losers by the *French*.

I will add Two more Reasons of the Fall of the Lands of *England*: One the Advantageous Treaty of Commerce made by *Oliver* with the *French*, was not established by the King; but a much worse, if any, submitted to: And after, the *French* set such high Imposts upon our Commodities, that Sir

John

Mr Trevor in his *Appeal*, takes Notice that we do not vend One Fourth of the Commodities we formerly exported into *France*, whilst we consumed more *French Wines, Brandies*, and other *French Wares*, more than before; so that about this time, or sooner, the Lords Commissioners for a Treaty of Commerce with *France*, appointed a Committee to inspect the Difference of the Ballance, which besides the Value of *Gloves, Lace, Ribbon* and other Toys, amounted Yearly, to 965128 *l. 17 s. 4 d.* imported from *France*, more than exported out of *England*.

The other is, That the most gainful Trade the *English* have, is that to *Spain*, which has no other means to maintain it, but by the Returns of their Fleet; which since we took *Jamaica*, the *Baccaneers* interrupted the *Spaniard* in the *West-Indies*, that the *Spanish Loss* and Returns were more difficult, so much was our Trade to *Spain* damnified.

Observation II.

The Importation of *Irish Cattel* might fall the Rents of Lands, yet not make them less valuable; for if Landlords would content themselves with the Product of their Tenants Labours, so that if they could buy their Commodities Half, or One Third, &c. cheaper, their Lands would be as valuable, as if they had Half, or One Third, &c. more Rent, and they pay so much more for their Commodities: Besides, many Thousands of People might subsist by their Labours where Provisions are cheaper, which could not if dearer; and the Charge of maintaining Poor, are so much more,

as Provisions are dearer; and so much less the Forreign Vent of our Manufactures be, as Provisions are dearer whereon Workmen subsist. But to admit the Importation of *Irish Cattel*, had caused such Plenty of Provision, as the Nation could not have expended within, yet if Commodities be Rarities, the Nation would have been so much more enriched by the Importation of the *Irish Cattel*, and by this means might have established a Forreign Trade upon that Account; and only by Forreign Trade the Nation is enriched.

Observation III.

The Returns which the *English* made for *Irish Cattel*, were Cloaths, Hats, Caps, Stockings, Hosiery, and other Manufactures, which upon the Act ceasing the People who subsisted by working these, necessarily fell into Decay and Poverty; so as the Value of the Lands of *England* were lessened both ways; for as these People who by their Labours were enabled to buy Provisions, to the Improvement of the Value of the Lands of *England*, so by their Poverty they became a Charge and Burden to them.

Observation IV.

If it be Injustice and Wickedness, to take away another's Lands or Goods without a just Cause, it is equally, or more Wicked and Unjust, to take away the means of living from Industrious Men in their just Employments, and make no Retribution, both which, this Law did to the People employed in the Manufactures returned for *Irish Cattel*: Nor

this Law make any Provision for the Marriners employed in bringing over *Irish Cattel*, nor pay the Masters of the Vessels employed in it for their Vessels, if they had lost their Employment: Nor did the Parliament give the King any Satisfaction for *col. per Annum*, Duties, paid the King for Importing *Irish Cattel*.

Observation V.

By this Law the *English* lost the Manufactures of Hides, Tallow and Horns of the Cattel, which might have been wrought in *England*, and given to other Nations, if the *Irish* should not work them; to the Loss of the Employment of the *English*, and thereby lessening the Value of the Lands in *England*.

Observation VI.

Suppose that we had no *Act of Navigation*, but that *Western Men* might have built and fitted out Ships for the *Newfound-land Fishery*, as cheap as the *French*: Yet by this Act against Importation of *Irish Cattel*, the *French* being enabled to victual their Ships cheaper from the Ports of *Ireland*, than we from the *English*; the *French* from this only Cause, may have the Forreign Vent of the *Newfound-land Fishery*, whilst the *English* are necessitated to vend their Fish only in *England*; which is as much a Grievance, as the Importation of *Irish Cattel*: For the Expence of them, will as much fall the Prizes of Fish, as the Importation of the Cattel.

Observa-

Observation VII.

By this Law the *English* have lost the Benefit of victualling Forreign, as well as *English* Ships from our own Ports, and established them in *Ireland*, the lessening the Value of the Lands of *England* and this in time of Peace: And in time of War, how much cheaper Forreign Nations can victual Ships from *Ireland*, than we can from *England*; much cheaper they may manage War, and continue it longer.

Observation VIII.

The Wools of *Ireland* are generally better than those of *England*; (I have it by very good Authority) and by the 14. C. 2. 18. it's Felony to export any out of *England* or *Ireland*: The Reason given is, it would decay the Woollen Manufactures, and ruin many Families, and be the Destruction of Navigation and Commerce of *England* and *Ireland*.

And why would it decay the Woollen Manufactures, and ruin many Families to export Wool? the common Reason given is, That the Natives of other Countries would work them cheaper than the *English*, whereby we should loose the Employment of our People: If this be a Reason, this *Irish* Law was made in an ill time to make Provisions dearer, which will necessarily resolve into a further Decay of Wealth, because those who work our Woollen Manufactures, must live by Food; and so much the dearer Food is, so much dearer must Mens Labour be.

But I say this is not the Reason; for no People the World, in like Circumstances, take so much as for so little Profit, as the *Combers, Spinners* and *Weavers* do in our Woollen Manufactures, and sure the Wools and Fullers-Earth in *England*, cheaper here, than can be had elsewhere; and *English Man* and Woman, hath a better Habit Body, and as good a Wit as a *French* or *Dutch* Man or Woman; and that in *Holland* they pay as much for Excise for Meat and Drink, as in *England* paid for them.

I'll give the true Reason; why, if the *Dutch* or *French* get our Wools and Potters-Earth, they may have the Manufactures cheaper in Forreign Trade, than the *English*. The Wools of *Derbyshire, Nottinghamshire, Leicestershire, Warwickshire, Lincolnshire, Rutlandshire, Northamptonshire, Huntingdon, and Hertfordshire, &c.* are in the Dead of the Winter, brought by Land-Carriage, to *Norwich* and *Colchester*, and then the Wools of the Sheep killed in *London*, are carried to *Colchester* to be wrought there; and then by another Land-Carriage, they are brought to *London*, as our *Western Cloaths* are: And then none but the Free-men of *London* must buy them, and it may be, 20 per Cent cheaper than they might be sold, if the Trade were free; then they must be vended abroad in *English* built Ships, double as dear by the *Act of Navigation*, and these sailed away near double the Hands of Forreign Ships of like Dimensions; and if any Returns be made, they shall pay Twofold more Duties, than if they were imported into *Holland* and *Hamburg*: And upon other Terms, our Poor must not be employed, working Woollen Manufactures.

It's

It's agreed the vast Riches of *France*, arise from the Trades which the *English*, *Dutch*, *Dane*, *Swedish*, *Hamburger*, *Emdener*, *Lubecker* and *Bremeners* do trading into *France* for Wines, Brandies, Salt, Pepper, and the *English* besides these; for Linnen, Cordage, and Sails. Suppose then the *French King* should by Edict Ordain, That these should be first brought by Land-Carriage to *Paris*, and then none but Free-men should buy them at what Rates they please; and then these should vend them in Forreign Trade only in *French* built Ships, and these sailed by Three Fourth Parts *French*, whether they be Ships or Men, or not; and the Returns made to them, to pay him Twofold more than if they were imported into *Holland* or *Hamburg*, &c. Would not any Man think he were Mad? yet what would that differ from our Practice.

At this rate we have in *England* more Wool than we can work; and by this Act, the *Irish* are forced to breed Sheep upon the Grounds they have their Cattel upon before the Act; and by the Act 14. C. 2. 18. it's Felony to export the Wool so as the *Irish* are necessitated to work them; where Provisions are cheaper than in *England*, where they shall not be at the unnecessary Land-Charges of Carriage of their Wools, and Recarriage of their Cloaths; where they shall not be restrained to the vending of them to Free-men of Corporations at 20 per Cent Loss; and where their Ports are better and more convenient for Forreign Trade, than those of *England*; and then the *English* must condescend to the Terms of the *Irish*, or these will undo more Families, and more decay the Trade of our Woollen Manufactures, than if Forreigners wrought the *Irish* or *English* Wools.

Observe

Observation IX.

Ireland is a Kingdom depending upon *England*, and Trade and Commerce create a mutual Correspondence and Interest between Countries, so as this Law makes the Correspondency and Interest of *Ireland*, to depend upon other Countries; whereas it is the Interest of *England*, that *England* should have been the Mart, or Store-House of all the Tools, Hides, Tallow, &c. renewed in *Ireland*; *England* is the Store-House of the Product of her Plantations, or as *Holland* is of the Spice-Trade. These ruinous and mischievous Consequences this Law has brought upon *England* and *Ireland*, only that the *Northern* and *Western* Men, might have a Monopoly of imposing what Rates they pleased upon the *Eastern* and *Southern* Parts of *England*, I may safely say to the lessening the Rates and Value of those Lands, at 30 per Cent. and I dare say from many less Causes, or if this Partial Law had been imposed by any King out of Parliament, it might have caused a Rebellion in *England* and *Ireland* too: Yet it has been the Interest of the *Northern* and *Western* Men to have continued the Importation of *Irish Cattel*; for in breeding Cattel they can make but one Return in Five Years, whereas they might make Four Returns in one Year, by the *Irish Cattel* Imported: Yet in many Land-Taxes, the Parliament taxed the *Southern* and *Eastern Parts* of *England*, near double more than the *Northern and Western*.

But neither the King's Management of Business, this Infant-Law, the Fire of *London*, the pulling down

down the Houses upon the *Tower-Ditch*, the *Plague* nor the *Act of Navigation*, now Sixteen Year Old could allay the Parliaments heat from carrying on this War against the *Dutch*, and therefore they gave the King 1256000 *l.* towards it, but the King had other Occasions for the Money; and thought he better otherwise could dispose of it upon the Assurance he had from his Mother of *France*, that the *Dutch* would not set out another Fleet this Year, though the *French King* used all Means that the *Dutch* should do it: And this Year the *Zealanders* set out a Squadron of Ships, and took *Suranam* from the *English* in *America*.

Relying upon his Mothers Intelligence, the King by the Mediation of the *Swedish* Ambassadour, certaintains a Treaty of Peace with the *Dutch*, while they make all possible Preparations for War, which all the World saw, but the King, who would not see it; and so took no care to set out a Fleet to fight them, nor to protect his Fleet in their Ports.

However, the King at this time was not pleased with the Insults of his Brother of *France*, upon the *English* in their Plantations in the *Leeward Islands*; and therefore sent Sir *John Harman* with a Squadron of Frigots, to repress the *French* Insolence there: Sir *John* had the Gout so as he could not go; but upon the Discovery of the *French* Fleet, got upon his Feet, and gave Orders to Fight the *French*, which he did, and beat them; and during the Fight, walked, and gave Orders as when well. But the Fight was no sooner over, when Sir *John* returned to his Gouty Lameness again; and after reduced *Suranam* to the *English*: But this was after the Peace at *Breda*, between the *English* and *Dutch*.

The *Dutch* having compleated their Fleet upon the Nineteenth of *June*, entred the River: I was on the Tenth in the Morning, walking in *St. James's Park*, when a Gentlemen whispered to me, That the *Dutch* were entred the River; then the King had fed his Ducks, and was walking on the *West Side* of the Park; and as we walked, Prince *Rupert* overtook us, and met the King at the further end of the *Palmal*; and the King told the Prince how he had shot a Duck, and such a Dog fetch't it; and so they walkt on till the King came to *St. James's House*, and there the King said to the Prince, Let's go see *Cambridge and Kendall*, (the Duke's Two Sons, who then lay a Dying) but upon his Return to *White-Hall*, he found all in an Uproar, the Countess of *Castlemain* (as 'twas said) bewailing above all others, that she should be the first torn in Pieces.

Hereupon the Duke of *Albemarle* was posted down to *Chatbam*, where in a Council of War it was resolved to sink all the Ships, but as they lay, there was not Water enough: The *Dutch* found an easie Passage, after they had broke the Boom which lay cross the River; for no Fort was then finished at *Beereneess*, and that at *Upnor*, ruined for want of Repair. However, the Duke put some Guns into it, which shooting high, little damaged the *Dutch* in the Passage; so the *Dutch* fired the *Royal James*, *London*, and *Royal Oake*; and the *Henry* being afloat, ran so violently upon *Rocheſter-Bridge*, the Tide forcing her, as endangered the breaking of it; and the *Royal Charles* was carried off by the *Dutch*.

I was then at *London*, and also in the Plague and Fire Years, yet in neither, did I observe such Con-

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sternation and Confusion in the Looks of all Men as at this time, and with great Cause; for if the *Dutch* had then come up to *London*, they had found all open to them; not one Gun mounted at *Tilbury-Fort*, nor one Frigate ready in the River; so as they might have forced all the Ships in the River up to the Bridge, and there have burnt them; which would certainly have fired the *Tower*, and all the Suburbs *West*, to *Black-Wall*, as well as *Southwark* below Bridge.

Nor were the Ships at *Portsmouth* in more Safety and the *Dutch* had Ships enough to have made bold Attempts at the same time; but whilst the *Dutch* lay loitering below *Sheereness*, the *English* had time to plant some Guns in *Tilbury-Fort*; and sink Ships across the River at *Woolage*: And the King sent the Earl of *Macclesfield* and Captain *Elliot*, to *Portsmouth*, who used such Diligence in fortifying it that when the *Dutch* came before it, they thought not fit to attempt, to do what they had done at *Chatham*.

However, the Dishonour which the Nation sustained by this Action may be forgotten, yet the sudden and more Dishonourable Peace concluded at *Breda*, the Ninth of July following, will never be: Where the Third Article is,

That all Offences, Injuries, Damages and Losses, sustained on either Side by the King and States, or their Subjects during this War, or at any time before, upon any Cause or Pretence whatsoever, be totally expunged and buried in Oblivion.

So that by this Article the Business of *Amboyne* is buried, and never to be called in Question of which *Oliver*, though he made Peace with the *Dutch*

would

would not do, but was referred to the *Cantons* of *Switzerland*, who never did any thing in it.

By this Article the *Dutch* had *Polloroon* (out of which they had expelled our *East-India* Company during this War) confirmed to them, whereby they became Sole Proprietors of the Spice-Trade, as well in *Europe*, as other Parts of the *Indies*, *Arabia* and *Persia*; and by this Article they were to have the Plantation of *Suranam* restored to them, because taken by Sir *John Harman*, after the Treaty.

The Fourth Article is, *That all Ships, Goods and Moveables, which at any time before had come into the Power of either Party, or their Subjects, should remain in the present Possessors thereof, without any Compensation or Restitution for the same, without any Exception, of Place, Time or Things.*

The Fifth Article was, *That all Actions, Ships and Pretensions whatsoever for the same, should remain Void, Obliterated, Disannulled, and nothing moved thereupon, hereafter.*

The Eighth Article is, *That under the foresaid Renunciation, and Stipulation, all Letters of Mart, Reprisals, or Counter-Mart, General or Particular, ought to be Comprehended and Revoked, by Virtue of that Article accordingly, notwithstanding any Grant to the Contrary.*

This was the Success of the King's Speech to the Parliament, upon his declaring War against the *Dutch*, that as he entred into the War for the Protection, Honour, and Safety of his Subjects, so without these, he would not make a Peace; and this Benefit Sir *Edmund Turner* and Mr. *Carew*, had of their Letters of Reprizal, wherein the King granted, That they should stand good, notwithstanding

standing any Peace to be made with the *Dutch*, untill they had fully reprized their Debt of 151612 £ and Charges of Reprizal: Nay, their Agents were tryed by a Commission out of the *Admiralty* for Py-racy, for acting under the said Grant, the Silver Oar being carried before Sir *Lionel Jenkins*, who was very zealous to have Hanged them; but the Common-Law Judges were of another Opinion, and so they did not lose their Lives, as Sir *Edmond* and Mr. *Carew*, did their Debts; yet the *French* sped not so well as the *Dutch* in this Peace, being to restore all they had taken in the *Leeward Islands* to the *English*.

And now the Steed is stoln, the Stable-Door is shut; for after the Peace, Thousands of People were Pressed in *London*, to finish the Fort at *Sheerness*; and it being a terrible Aguish Time, in an Aguish Place, almost all fell Sick, and it was deemed by many, That more Died there, than in all the *Dutch War*.

In this Consternation 'twas necessary to do something to appease the Parliament and People, and so the King sends for the Seal from my Lord Chancellor *Hide*, which was no sooner done, but the Parliament were as fierce upon him, as for the *Dutch War*: One of his Intimate Friends told me he took Counsel with his Friends, whether he should stay or leave the Kingdom, they all advised him not to stay, and so he left the Kingdom, yet fell into more Danger, than if he had not; for at *Diep*, a Company of Rude Seamen endeavoured to have Assassinated him: Thus fell this Great Chancellor and States-man; I do not say a Sacrifice for either King or People, having followed the King's Father

in all his Wars, and himself in his Exile; yet he lived to see Two Lord Chancellours in *England*, and Two Lord Keepers live at the same time: (no Argument of the Steadiness of Councils after him) Two were deposed as well as he, and the Third with much ado, lived to dye in the Place. A little before his Deposition, (as if he had lived long enough) that Great Standard of Loyalty and true Nobility, my Lord Treasurer *Southampton*, dyed; but sure so Upright a Chancellor, or Two such Honourable Counsellours and States-men, for their Integrity to the *English Interest*, and great Understanding in State-Affairs, have not since succeeded; but they were but two to too many others, and the King's Inclinations were towards the other side; so as neither he, nor my Lord Treasurer *Southampton*, were Present at the Council, when the War was declared against the *Dutch*: But this Power was in the Wain, and the Torrent run t'other way.

It was time for the *Dutch* to make Peace with *England*, for this Summer the *French King* with a Mighty Army was fallen into *Flanders*, and like a Torrent, had ravaged *Artois*, *Hainault*, and other Parts of the *Spanish Netherlands*, and taken *Charleroy*, *Oudenard*, *Aeth*, *Courtray*, and *Lisle*; but that we may take a better View of this War, we must look back.

In the Year 1612. there was a cross Marriage between *Lewis XIII.* of *France*, and *Philip IV.* of *Spain*: *Lewis* married *Anne*, *Philip's* Sister, and *Philip* married *Elizabeth*, *Lewis* his Sister: By *Elizabeth* *Philip* had *Don Belthazar*, and the *Infanta* married to the *French King* by the Treaty of the *Pyrenes*.

In the Year 1649. (*Elizabeth* of France being dead) *Philip* married *Anne* the Daughter of *Ferdinand* the Third, Emperor, *Philip's* own Neece, by whom he had *Charles* the now King of *Spain*. I do not find whether *Don Belthazar* was dead before the French King married his Sister, but *Charles* the now King was born about Nine Months after the *Pyrenean Treaty*.

By the *Pyrenean Treaty*, the French King, by all that they call sacred in the Church of *Rome*, and by all the Clauses the Wit of Man could express to avoid Evasion, disclaimed all Right or Title to *Spain* or any Part of it; in Right of the *Infanta*; and *Philip* dying in the Year 1665. The French King did engage his Faith and Royal Word to the Queen by the Marquis *De la Fuente*, that he would religiously keep the Peace, and continue a faithful Friendship with her, and her Son during his Minority, Nay, after the Eruption by the French into *Flanders*, the Arch-Bishop of *Ambrun*, did, in *Verbo Sacerdotii*, protest and vow to the Queen, that his Master (the French King) would never break with the King of *Spain*, or invade his Dominions during his Minority.

By this Time the *Dauphin* (I think) was about Six Years old, and his Father, to cover his Hypocrisie and Perfidy, pretended that the Women of *Brabant*, by the first Venter, inherit before the Males of the Second, but you shall see *Brabant* flow over all the *Spanish Netherlands*; and therefore no Act of his could preclude the *Dauphin*, who was born of *Elizabeth Philip's* first Wife; which vain Pretension, was, thoroughly confuted by the renowned States-Man, the Baron *de Iffela*, in his excellent

cellent Treatise termed *The Buckler of State and Justice*.

However, about four Days after the Arch-Bishop of *Ambrun's* Protestation, the Queen of *Spain* had notice of a *Manifesto* published by the French King, that he had so fully proved his Son's Title, that he did not think himself obliged to spend any Time in unprofitable Contests about it; yet not to make War, but to take Friendly Possession of what was so justly due to the *Dauphin*.

Never was *Spain* at so low an Ebb, and unable to make Opposition to the *French*, as at this time: For, besides our King's giving up *Dunkirk* to the *French*, and the breaking of the *Spanish* Army at the Fight at *Elvas* in *Portugal*, which should have defended *Flanders*, the War still continued there, where the *French*, by a Treaty with *Portugal* (contrary to the *Pyrenean* Treaty) were to have all the Port Towns taken from the *Spaniard*: The *Buchaneers* at *Jamaica* plagued the *Spaniard* in the Returns of their Plate-Fleet, and plundered and fired many of the *Spanish* Towns upon the firm Land: And *Don John* (the King's Bastard Brother) and the Queen, were at highest Discord about her Confessor *Nitard* so as *Don John* refused to accept of the Government of *Flanders* again to oppose the *French*.

Here it's observable how much the French King's Ambition prevail'd, beyond his Zeal to Religion, for in 1665 and 1666, the *Irish* had been treating with him, to send an Army into *Ireland* to assist the *Irish* in a designed Rebellion against the King, which this Year was brought to Maturity; and the French King promised to send them Forty Thousand Men to land on St. Lewis's Day, in *August*: But

he kept his Promise no better with them to assist them, than he did his Oath at the *Pyrenean Treaty*, not to assist the *Portuguese*, and to the Queen Regent in *Spain*, not to invade any of the *Spanish Dominions* during the Minority of the King.

The King either stung with the Success of his Mother's Assurance, That the *Dutch* would put out no Fleet this Year, or at this time angry with his Brother of *France*, for the Ravages he had made upon the *English* in the *West-Indies*, whereby the King's Customs were much lessened : Or it may be, having some Seeds of the wholesome Counsels which the Chancellor *Hide* and Treasurer *Southampton* had infused into him, How dangerous it would be to *England* as well as *Holland* for the *French* to make a Conquest in *Flanders* ; sent to Sir *William Temple*, his then Resident at *Brussels*, to take joint Measures with the States for restraining the Progress of the *French* Conquests in *Flanders* ; This was in *January 1667*.

The *French* Progress in *Flanders* more nearly concerned the *Dutch* than the *English* ; the *Spanish Netherlands* being the Barrier to secure the united *Netherlands* from sinking under the Power of *France*, and therefore the *Dutch* States readily complied with Sir *William's* Proposals, and Sir *William* waited upon the King to give him an Account of his Negotiation ; and within Five Days after was sent back with Powers to conclude a stricter defensive League than that at *Breda* between *England* and *Holland* ; either by Mediation or Force, to stop the further Progress of the *French Army* in the *Spanish Provinces* : And because the *Swede* soon after entred into it, it was called the Triple Alliance. This preserved what the *French* had left untaken, and the *Spaniard* was forced to set down by the Loss.

But whatever the *Spaniard* lost by the *French* *Ra-
ages*, the *English* gain'd this Benefit by it: That
the *Brewer* (whose Parents were said to be *English*)
with about Fifty *Walloons*, who wrought and dyed
fine Woollen Cloths, came into *England*; and the
King, after the Example of two of his wisest and
most renowned Predecessors, *Edward III.* and *Queen
Elizabeth*, entertain'd them against our Barbarous
Law, or rather Usage, against Foreigners partaking
the Benefit of Natural born *English*; and by them
the *English*, in a few Years, were instructed to make
and dye fine woollen Cloths cheaper by 40 *l. per Cent.*
than they could do before; not only to the Benefit
of the *English* at Home, but in foreign Vent abroad;
which before the *Dutch* had.

I think it was this Year the *French* fell into the
Franche County of *Burgundy*, and took *Dole* and *Be-
sanzon*, but this being a Barrier to the *Swiss* against
the *French Power*, as the *Spanish Netherlands* are to
the *Dutch*; The *Swiss* recalled their Subjects out of
the *French Service*, and ordered the levying Sixty
Thousand Men to expel the *French* out of the County
of *Burgundy*; and now it was not Time for the
French King to contend against the Triple League,
and the *Swiss* too, so he gave up *Dole* and *Besanzon*
again to the *Spaniards*, and withdrew his Forces out
of the County: Thus was *Spain* saved by others
when they could not help themselves.

The banishing the Chancellor *Clarendon* did pal-
liate; but the Triple League reconciled all Diffe-
rence between the King and Parliament, as if no
Dutch War or Miscarriages had been; and for the
Triple League, they granted the King a Treble
Supply, viz. 20. Car. II. c. 1. 301000 *l.* Upon
Wines and Liquors. Secondly, An additional Du-
ty

ty of 8 *l.* per Tun on *French Wines*, &c. and 12 *l.* per Tun on *Spanish Wines* for Eight Years, which amounted to 560000 *l.* This was the 22. *Car. II.* And also, *Cap. 3.* An Act for Sale of the fee Farm Rents to the Value of 1300000 *l.*

But you'll see these dear-bought Joys soon will fade, for the great *Clarendon* and noble *Southampton* now are gone, and another Generation is springing up, and that with such forward Growth (as *Weeds* do) that upon the Joy of the Triple League the House of Commons having given the King the 301000 *l.* in *April* following, Mr. *Clifford* (after Lord Treasurer) told a Friend of Sir *William Temple's*, That for all this great Joy, it must not be long before we have another War with *Holland*, and the very Year a *French Man* gave my Lord *Arlington* the Design of laying another *Holland's War*, and the Advance of it, by the Practice of Monsieur *Colbert* upon the Ministers of our Court.

However the Devil will play at small Games rather than stand out; for now the *French King's* Hands are tied up by the Triple League and Treaty at *Aix la Chapelle*, from taking more Towns in the *Spanish Netherlands*: Yet he exacted great Contributions from the Dutchies of *Limburg* and *Luxemburg*, and confiscated the Estates of those in his Conquests, who would not forswear their Allegiance to the King of *Spain*, and endeavoured to surprize the Town of *Henault*. And as by the *Pyreanean Treaty* the Duke of *Lorraine* was to be restored to his Dutchy: Yet the Duke, though a Friend to the King, was rejected from entring into the Triple League, which he endeavoured, and therefore incurred the *French King's* Displeasure, who in the Year 1669, seized upon the poor Remainders of his Country, and ordered

ered one of his Generals to seize his Person, and bring him either dead or alive. And though by the Treaty of *Breda* the *French King* was to restore the *English* to their Plantations in *St. Christopher's*, which the *French* had taken from them, yet hitherto he refused to do it.

In this trifling, which the *Hector* of *France* did on to keep his Hand in ure, he did not sleep otherwise; the Triple League stuck sore in his Conscience; which, unless broken, would set Bounds to his boundless Ambition: In its infant State *Monsieur Colbert*, in the first Year, had made some Steps towards it; but the next Year made such Advances, that he had almost brought the Destruction of it to perfection: To facilitate this hopeful Project, *Madam*, the King's beloved Sister, came in *June* 1670. to *Dover*, with full Powers to conclude this desired Business.

The King was not long behind, but with equal Desire, and extraordinary Affection, meets his Sister, where all things are concluded, which, though as dark as Hell, yet were as secret as Witchcraft, which would have no Light, but by their Consequences; and that this well-laid Design might be not be forgotten, The Princess left her Woman, *Madam Carewell*, after Dutcheß of *Portsmouth*, with the King to put him in mind of it, but the Princess was unhappy in this; for *Monsieur*, her Husband entertained a furious jealousy in his frantick Brain, that something else besides this hopeful Project was designed by the Princess; so that though She were in perfect Health, and never more pleased than when here; yet, upon her Return, she, in the Glory of her Years, but Twenty Four
Years

Years old, died suddenly, So that the Cause of his Death was as dark as the Design she came for.

But there is neither Sister, Father or Mother with Kings and Kingdoms: The sudden Death of *Madam* put no Stop to the ratifying the Business she came for, but the Marquis of *Bellefounds* is sent hither, and an honourable Person is sent into *France* for both King's Ratification of it.

Hereupon the *French King* descended from his Stairs and delivered the *English* their Grounds in *Spain* to *Sir Charles Wheeler*, yet destroyed all the Plantations, plundered and carried away all that was portable, laid the whole Country waste, and left it in a much worse Condition than if it had never been planted.

The *French King*, by his *English* Pensioners, did not only keep the Emperor and Duke of *Lorraine* out of (being desirous to enter into it) the Triple League, but he enters into a stricter League with the Arch Bishops of *Collen*, and the Bishop of *Münster* (two Princes of the Empire) against the *Dutch*, and now began to fit out a greater Fleet of Men of War than ever any *French King* did before: Nor were the *Dutch* behind hand, but made proportionable Advances, not doubting but the King would make good his Proportion, according to the League so lately made between the King and them, in case the *French King* made any Attempt upon them.

Upon the 24th. of *October* 1670, the Parliament met again, and notwithstanding all the Aids granted the King in *April* before, my Lord Keeper *Bridgman* told the Parliament the great Care his Majesty had of them and the Kingdom, since their last Recess, and that besides the Triple Alliance, he had made

made many advantageous Alliances, both for Security and Profit of Trade, with the *Swede, Dane, Spaniard, and Duke of Savoy*: But since the *Dutch and French* made such vast Naval Preparations, it was necessary for the Safety and Honour of the Nation, that the King should at least keep equal Pace with them, which could not be done without great Supplies, which must be speedily granted, for the King intended to put an End of this Session before *Christmas*; but the Success of this Speech so ill agreeing with the Premises, it was not permitted to be printed, yet you may read it at large in Mr. *Marvel's* Growth of Popery: But whatever Treaties of Commerce were made with other Princes, the Keeper finds none with *France*, where neither the advantageous Treaty made by *Oliver* was observed, nor any new one made, but the *French King* did use the *English* with all imaginable Oppressions, without any Redress from the King.

However, this Speech wrought so pathetically with the Parliament, that they gave the King 1 s. in the Pound of the real Value of all the Lands of *England* for one Year, and an additional Excise upon Beer and Ale for Six Years, and the Law Bill for Nine Years; which Three Bills were computed at Two Millions and One Half.

And now this dark Design, founded in such deep Dissimulation, Hypocrisie, and Perfidiousness, as *Oliver Cromwell* would have been ashamed of and blush't at, begins to receive Light: For, the Parliament having granted the King these Aids, were in consequence prorogued, and did not meet to act till the Fourth of *February* 1671. But in regard, that not only the extirpating the Protestant Religion, but

but the Subversion of the Liberty of the *Western Parts* of *Europe* was now designed, which extended as far as the *Baltick Sea*, and the Bounds of the *Turkish* and *Tartar Empires*, we will be a little particular in it: But what is most amazing is, that the King, in Appearance a Protestant, and a free independent King, so used by the *French King* in his Exile, and since his Restoration, should be so forward in joyning with a faithless and boundless Ambitious neighbouring Prince, which if his Design had succeeded, had involved the Kingdoms of *England*, *Scotland*, and *Ireland* in the same Condition with the rest of *Christendom*.

The Visard Mask under which the Popish Party covered their Hypocrisie, in propagating their Catholic Cause [for plain Dealing must never be expected in it] In King *Charles* the first's Time was *Arminianism*, which then had the Ascendant in *Laurel's* Regency; but since the King's Restoration, the Protestant Dissenters being so fiercely prosecuted by the Parliament, it was judged that the dispensing with Penal Laws against Dissenters from the Church of *England* would conjoyn the Protestant Dissenters Interest with the Popish, and this not only appeared by Practice, but by Design in *Coleman's* Letters to Father *Ferrier*, and *La Chaise*, the *French King's* Confessors.

As before the first *Dutch War* the King issued out his Declaration of Indulgence for dispensing with the Penal Laws in Ecclesiastical Affairs, in the Interval of the sitting of the Parliament: So did he before this Second War. It seems to me that the Designers of this War, got some secret Oath or Promise from the King that he should not do the like

like again, for the King told the House of Commons he would stand by his Declaration of Indulgence, and sure nothing but Queen *Money* could have got him off.

However, these Conspirators were more zealous than politick; for before the King issued out his Declaration of Indulgence in *England*, upon the Twentieth of *February* 1671. he issued out his Proclamation in *Ireland*, wherein he granted general License to all *Papists* to live in Corporations, exercise Trades there, and enjoy the same Privileges as other his Subjects ought to do; which was a greater Privilege than his Protestant Subjects had, for by their Charter, all, who were not free of the Corporations, could not have the Benefit of their Privileges.

But that the Catholick Design might take deeper Root and Continuance, the Duke of *York's* Sons being dead, and the *Princesses* his Daughters being bred up in the Protestant Religion, Care must be taken to establish the Popish for the Time to come; for which it was expedient the Duke should marry some Popish Princess, and to this End the Arch-Duchess of *Insburg* was propounded, and a Treaty entered into upon it.

But though the Princess's Religion pleased the *French King*, the Interest this Marriage would bring with it, did not: So that though the Treaty were far advanced, yet the *French King* (who ruled all the *Roast*) propounded the Princess of *Modena* (the Daughter of a little *Italian Prince*, and a Dependant of the *French King's*, yet had a great Interest in the Court of *Rome*) and this, against all Endeavours of the Parliament, and the Dishonour of the Treaty
with

with the Arch-Dutcheſs, prevailed; the *French King* having adopted her a Daughter of *France*, and given her a Portion.

But while theſe Deſigns are lain in the Dark here in *England*, the *French King*, barefaced by his Embaſſador at *Vienna*, in a ſolemn Speech declared that his Maſter had undertaken the War againſt *Holland* for propagating the Catholick Cauſe; and that all good Chriſtians were bound to joyn with him to extirpate Herelie, and that he would reſtore all his Conqueſt to re-eſtabliſh the true Worſhip baniſhed out of the *Holland's* (meaning the *United Netherlands*) Territories, which you may read more at large in Mr. *Secretary Trevor's* Appeal, &c.

Now let's ſee how agreeable theſe Mens Morals were to their Religious Pretences in laying the Scene for this deſigned *Dutch War*. The Treafury, ſince the Death of my Lord Treafurer *Southampton* was managed by Commiſſioners; and if the Aids granted by the Parliament, were not ſufficient for carrying on the King's Deſigns, the *French King* is to ſupply him further; but things were not ripe enough yet, for theſe Monies to be returned into the *Exchequer*, leaſt they might give Cauſe of Suspicion; and therefore, between Six and Seven Hundred Thouſand Pounds were received by Mr. *Chiffins*, he to have Two Pence in the Pound, to be diſpoſed of as the King ſhall order: If you doubt this, you may examine Mr. *Chiffins's* Accounts, when he was adviſed to paſs them, and take his *Quietus* out of the *Exchequer*.

Though by the deſenſive League between the King and States, when the Triple League was entered into, the King and States were mutually engaged to

to supply each other with a certain Number of Men and Ships, in case of any Foreign Invasion upon either; yet now the King hath Subsidies given him by the *French King*, to joyn with him against *Holland*, which by the defensive Alliance the King was obliged to assist.

The King who was so great in the Love of his Subjects and Parliament, for the Triple League, and had received such vast Sums for it; now at the Instance of the *French King*, sends Mr. *John Coventry* to the Court of *Sweden* to dissolve it, which he did so effectually, that that King not only stood neuter at the beginning of the War with the *Dutch*, but joyned with the *French King* against the Confederates; and this Success Mr. *Coventry* had, that for this Business, which put all *Christendom* into a Flame, He was by the King made Principal Secretary of State, and it may be presented with his fine Rangers Place in *Enfeld-Chase* too; and perhaps with thrice more by the *French King*: Whereas Sir *William Temple*, who was the principal Instrument in the Peace at *Nimeguen*, lost 2200 *l.* by it, and his only Recompence was to be Secretary of State in Mr. *Coventry's* Place, if Sir *William* would give him 10000 *l.* for it.

The Triple League thus dissolved, all Obstacles which might retard the Progress of this Pious Work must be removed: And now my Lord Keeper *Bridgman* having done by his Speech, the Conspirators Work for Money, has done his own too, and is turned out of his Place; and my Lord *Ashley Cooper*, Chancellor of the *Exchequer*, is made Lord Chancellor of England, and Earl of *Shaftsbury*: Mr. *Clifford*, after Lord *Clifford*, Lord high Treasurer of England, and my Lord *Arlington*, Chamberlain to the King's

N n n

Household,

Houshold, and Prince *Rupert*, the Duke of *Ormond*, and Secretary *Trevor* discarded from the Committee of Foreign Affairs; so as the *CABAL*, viz. *Clifford*, *Arley*, *Buckingham*, *Arlington* and *Lauderdale* govern all

The first Result of this sacred Conclave, was the shutting up of the Exchequer, wherein the Bankers (who formerly hath furnished the King with mighty Sums of Money at extorsive Interest) had lodged between 13 and 1400000 *l.* of the Subjects Money. This was in *January* 167 $\frac{1}{2}$. One would think the Moneys added to the Aids granted in the last Session of Parliament, with those receiv'd from *France* might have carried on the War against the *Dutch* on the King's Part ; but to make sure, the Fleet for which the Parliament gave such vast Sums, to be equal with the *French* or *Dutch*, is set out under Sir *Robert Holmes*, to surprize the *Dutch Smirna-Fleet*, which he vainly attempted the Thirteenth and Fourteenth of *March* 167 $\frac{1}{2}$, and to sanctifie so Heroick an Attempt at this very time the Declaration of Indulgence was printed and published the Fifteenth.

The *French King* having gotten the King into his Net, let's see how he used him : The *French King* openly declared, That 'twas none of his Quarrel, and that he only engaged in it out of respect to his Person, and therefore before any War was declared the King must first break the Peace, by the Attempt upon the *Dutch Smirna-Fleet*.

The *Dutch*, alarm'd at the Attempt upon the *Smirna-Fleet*, and being in no Condition to resist both Kings, sent Deputies to both, to know upon what Terms they would agree to Peace : Those sent to the King were denied Audience, and kept at *Hampstead Court* till it were known what the *French King's* Plea

There was ; but those sent to the *French King* had Answer, That what the King had, was his own, and what he should conquer should be his without an Equivalent, and declared the States might deal with *England* as they pleased, and come off as cheap as they could, because by their Treaty they were not bound to procure them any Advantages. Yet, all this the King as patiently submitted to now, as before he suffered one *Marsilly* to be broken upon the Wheel at *Paris* without one Word from him in his behalf, for being his *Agent* to the *Swiss*, to invite them to joyn in the *Guarranty* of *Aix* ; who, upon the Scaffold, had Twenty Questions asked him in relation to his Majesty's Person, and a strict Enquiry of the Particulars that passed between the King and him ; all which you may read at large in Mr. *Secretary Trevor's* Appeal : And this pittiful Story you may find in a little Treatise, termed *Colbert's Ghost*, printed at *Cologne* 1684.

I find little Difference in the Causes of this War by these two Kings. The *French King's* was, that the *Dutch* had acted in Diminution to his Glory, but says not wherein ; the King of *England's* was, the *Dutch* had not yeilded him the Honour due to his Flag.

The Cabal sought for a fourfold Cause of this War, the Insults upon the *English* in the *East-India Trade* ; the detaning the *English Planters* in *Suranam* against the Treaty at *Breda*, horrid Pictures in Demonstration of his Majesty and his Flag.

To this Purpose the Committee for the *East-India Company* was summoned to shew Cause, who answered and gave it under their Hands, That since the Treaty at *Breda* they knew no Cause, nor as that the *Dutch* could pretend no more than was granted

ted by it, they having not as yet assisted the young King of *Bantam* against his Father, and made use of the young King's Name to expel the *English* Factor from the *Pepper Trade*, as before they had the *Spice Trade*.

For detaining the *English* Planters in *Suranam*; was answered the Planters were not willing to forsake their Subsistence, and be turned into the wild Woods to seek it; and that the *Dutch* performed their Part with Mr. *Secretary Trevor*, and therefore it was no Fault of theirs, if it were not observed: Nor did they hinder them, when they were transplanted, to repair the Ruine of the *English* Plantation in *St. Christopher's*, made by the *French*.

For the Pictures the *Dutch* answered they knew none, except one Medal which might be liable to any such Construction; but so soon as they knew of it they caused the Stamp to be broken.

For that of the Flag, the Case stood thus, the *Dutch* having fitted up a Fleet of Men of War in Jealousie of the *French*, were riding near their own Coast, when one of the King's Yachts discharged a Gun at the Admiral to strike sail, which the Admiral not doing, was the Cause of the Breach for the War; though the *States* disowned the Refusal, and offered to make any Satisfaction the King should require. But it is the End which crowns the Work of every Act, and therefore the Declaration concluded That notwithstanding this War, the King will support the Treaty of *Aix la Chapelle*, according to the Scope and Intent of it, and preserve the Ends of it inviolable: And if the getting the *Swede* out of it, and joyning with the *French* against the *Dutch* Diametrically contrary to it, were the Support of that Treaty, or that the Subduing of *Holland*, so that the *French* should be Lord on both Sides

of the Spanish Netherlands, could be to protect them against the Power of the French! Good God! Did these Men believe Heaven or a God! But all Moral Virtues, and whatsoever may be called sacred must give way to the Advancement of the Catholick Cause.

By this Time the French King, by the Benefit of the Act of Navigation, Oliver's Peace with France, and War with Spain; the King's supine Negligence, and the Addition of Twelve great Men of War, built by the Dane and Dutch, in the former Dutch War, had got a Navy, equal to the Dutch or English; yet how to damage or destroy these, and to instruct his Men to fight, is the French Game now to be played: And therefore for this Time the French permitted the English to have the Red Flag, and the French were content with the White: Yet here it's observable, That in all the former Fights with the Dutch, when the French and Dane joyned against the English, except that when the Fleet was divided, the English put the Dutch to Flight; whereas in all the Fights, which were Four, wherein the French joyned the English, the English came off with more Loss than the Dutch.

Things thus ordered, the Duke of York was Admiral of the Red, or the whole Fleet, Monsieur D'Estree of the White, and my Lord of Sandwich of the Blue: And thus they rode at Anchor in Sould-Bay the Twenty Eighth of June 1672, the Wind blowing at North-East, a stiff Gale: And upon that Day there was a mighty Sacrifice to Ceres and Bacchus on board the Fleet, by the Flag Officers: And at the same Time the other Captains, in Imitation of their Admiral, went on Shoar to perform the same at Alborough, Dunwich and Sould.

in their Jollity on Board, my Lord of *Sandwich* (not at good Terms, either with the Duke or with the *French*) said that as the Wind stood, the Fleet rode in Danger of being surprized by the *Dutch*, and therefore thought it advisable to weigh Anchor and get out to Sea : The Duke retorted upon him as if this had been said out of Fear, which the next Day, 'twas thought, was the Loss of the Earl, and the brave Ship the *Prince Royal*.

The Sacrifice ended, and when all were *Vin*, *Somnoq; sepulti*, the Thunder of the Canon of the Scout-Ships about Two in the Morning, gave Notice, that the *Dutch Fleet* was approaching to call the *English* to an Account for their Yesterday's Jollity.

Now all things were in Confusion, our drowsy Officers were in no case to go to Counsel, nor had Time for weighing Anchor, the Cables therefore were cut for to avoid being burnt by the the *Dutch Fireships*, and the Long-Boats were sent near the Shore to wait upon their sleepy Officers; here was no Time to draw into a Line of Battel; but it happened that about Four in the Morning, a Calm fell, which continued till after Six, whereby the Captains had Time to get on Board, though not to consider how to fight; and I have heard experienced Seamen say, if this Calm had not happened the whole *English Fleet* had been in Danger to be stranded or burnt.

The Coast of *Sould-Bay* lies near North and South, the Northmost Part inclining into the East, called *Eastonneß*, being the most Eastern Part of England, but towards the South it inclines into the West. The *French* lay South, the Duke's Squadron in the Midst, and my Lord *Sandwich* on the North: So

the *French* had most Sea-room, and the *Blue* east.

When the *Dutch* engaged the Fleets, the Wind was *South-East* : And the *Dutch* did not fight close with the *French*, yet the *French* shot furiously, but their Shot fell short : But with great Courage the *Dutch* fell upon the Duke's Squadron, and more fiercely upon the *Blue*, the *Dutch* having near one Third more than the *English*, and thus the Fight held till about Eleven, when the *French*, by this Time might have weathered the *Dutch*, and disengaged the *English*, but did not : Now the Wind had got *North-East*, and *Vangent*, the *Dutch Vice-Admiral*, with Three Men of War, whereof one lay cross his Hawser, sorely distressed my Lord of *Sandwich*, when Sir *Joseph Jordan* (*Vice-Admiral* to the *Blue*) who might have disengaged the Earl, failed to the Red to assist the Duke, and it's believed the Earl might have done so too, if his great Spirit could had digested his Yesterday's Taunt : So this noble Earl and his brave Ship perished, with many young Gentlemen besides Mariners : Toward Two the *English* got the Weathergage of the *Dutch*, and then the Fight ended : Nor did the *French* serve the *English* better in any of the other Sea-Fights, which yet others tell, I have had enough of this.

Though the *Dutch* could thus Cope with the *English* and *French* at Sea, yet they found another kind of Task of it by Land : And let's look back a little, and see how this Calamity came upon them; and some things we are necessitated to resume here, though mentioned before upon another Occasion, to make Matters more Plain and Obvious.

There is no Man Conversant in the Stories of those Times, but understands that the Foundation of the *Dutch States*, was laid by *William*, Prince of *Orange*, (Father of *Maurice*, and *Henry Frederick*, Grand-Father of King *William*) who, and whose Brothers, all lost their Lives in Establishing it, with the Assistance of Queen *Elizabeth*.

Queen *Elizabeth* however, she made use of the *Dutch* to curb the Aspiring Dominion of the *Spaniards*, knew their Nature so well, as never to trust them, and therefore bridled them by keeping the *Brill*, *Ramakers* and *Flushing*, (the Keys of the *Maze* and *Scheld*) in her Dominion.

The Queen in assisting the *Dutch*, made One Article, That Two such *English Men* as she should Name, should Sit and Vote in their States. But the *Dutch* growing Mighty by her Assistance, and withall Ungrateful, formed a Private Cabal at *Amsterdam*, where they managed all the Secret Affairs of their State ; and in this, *Barnvelt* was the Head.

The Queen incensed herewith, in the Year 1698, called the States to an Account for all the Monies they had expended in their Support, which was 8000000 Crowns, or Two Millions Sterling ; the *Dutch* pleaded Poverty, and their Inability of Payment, and beseeched her, That as she excelled all others in Glory and Power, so she would continue her Mercy and Piety to these Distressed States.

The Queen Answered them, She had been often deluded by their deceitful Supplications, and ungrateful Actions, and Pretences of Poverty, That they bare no Reverence to Superiors, nor took any Care but for themselves.

The States were confounded with this Answer, and to appease her, promised to pay her the whole Debt after the War, and during the Continuance of it, to pay her 100000 *l. per Annum*; and that the *English Garrisons* in the *Brill*, *Ramakins* and *Flushing*, should be paid by the States.

The Queen, though not much trusting the States, yet wisely considering, That if she refused these Offers, the States might alter, and put themselves under the Protection of *France*, now at Peace with the *Spaniard*, by the Peace at *Vervins* the Year before, or that they might make a Peace with *Spain*, whereby she might lose the whole Debt, and the Dependance the States had upon her, accepted their Terms: But I do not find they ever performed any of them, except the Payment of the *English* in Garrison, in the Cautionary Towns; which how well they observed this, when they found it their Interest not to do, has been said before.

For in the Year 1609, the *Dutch* made a Truce with the *Spaniard* for Eleven Years, when *Barnvelt*, *Hugo Grotius*, &c. (Heads of the *Lovestein* and *Arminian* Faction) conspired how to get rid of the *English* and Prince of *Orange*, (by whom the *Dutch* became States) it's said before, how easily in King *James* the First's Reign, they got rid of the *English*; but their Attempt upon the Prince, not succeeding, *Barnvelt*, lost his Head, and *Grotius* had lost his too, if he had not fled the Country.

But though *Barnvelt's* Head were cut off, the Faction did not dye with it; for after the *Dutch* had made Peace with the *Spaniard*, at the Treaty of *Munster*, 1648, though in the Life of the then Prince of *Orange*, (the King's Grand-Father, and the

the most Renowned General of the Time) the *Lovestein Faction* stirred not; yet he dying within the Year after the Treaty, (I think) they then began to play their Game against his Son, a Prince of lively and active Courage, about Twenty Two Years of Age; and after the Example of *Barnvelt*, laid their Foundation by disbanding the *English*, by whose Blood and Valour, under the Conduct of three Princes of *Orange*, they became States.

The Prince, if he suffered this, foresaw his Authority was next struck at, therefore resolved to prevent it, and to be beforehand with the Conspirators at *Amsterdam*, where the Scene was laid; and in great Silence march'd within Three Hours March of *Amsterdam*; but the Weather being dark and foggy, the *Hamburg Post* past by the Prince undiscovered, and gave the Burgers an Account of the near Approach of the Prince; whereupon they opened their Sluces, and by Drowning the Country, stopt the Prince's March, whereby he not only lost his Design, but his Life; for upon the Twenty Fourth of *October*, 1650, he dyed they say of the Small-Pox, leaving the Princess big with Child of the now King *William*.

Now had the *Lovestein Faction* a fair Field to play their Game in: And so the *English* were disbanded, and having the *Rump* in *England*, who would be accounted States, as well as they, they thought all Cock-sure; for they were sure the *Rump* would take as much Care to keep out the King, as they to suppress and depose the Prince of *Orange*, Born after his Father's Death.

But though the *Lovestein Faction* thought they had a sure Game against the Infant-Prince, they found they

they had a hard Task to play their Game against the *Rump*, who next Year made War upon them: and though the King offered to assist them against the *Rump*, with the Fleet Sir *William Batton* had brought over to him, yet such was their Aversion to any thing which they thought might tend to the benefit of the Prince, that they refused the King's assistance; and so had been rooted out from being State, if *Oliver's* Design of keeping out the King, as well as they the Prince of *Orange*, had not prevented it.

After the *Dutch* made Peace with *Oliver*, being before at Peace with *France*, *Spain*, and the Empire, they now set all their Wits to work to establish their Common-wealth, without the Prince of *Orange*; and to make sure Work, God's Sacred Name must be prostituted, to establish their Ambition, Perfidiousness and Ingratitude, by Swearing never to admit of a Statholder; nor did they stay here, but imposed the same upon the Prince: The Success you'll soon hear.

In this seeming Prosperity, they made *John de Wit* (a Fellow as Arrogant and Insolent, as Ungrateful, Factious and imitating *French Modes*) Pensionary, or rather Dictator of *Holland*; whose chief Business was to depress the Prince, thereby arrogating so much more to himself, as he debased the Prince and his Authority; and so intent he was hereon, that he neglected to take care of the Military Discipline which was exercised in the United Provinces, whilst they continued in War with *Spain*; and in all their Garrisons, (especially those upon the *Rhine*) instead of the Old Experienced Governours, *de Wit* and his Faction, put in Burgomasters;

gomasters Sons, and Favourites of their Faction opposite to the Prince.

Now you shall see *de Wit* and his Faction, outwitted by the *French*, and by the same Artifice, by which they had outwitted our King and his *French* Councillours.

For *de Wit* having lulled the King into a Security of a deceitful Peace, whereby the *Dutch* got the Opportunity of Firing our Ships at *Chatham*, and then the Peace at *Bredah*; and after having gotten the King into the Tripple Alliance, *De Wit* ascribed the Glory of all these to himself, and became so Insolent hereon, that he became Intollerable to all but his own Faction.

The *French King* coup't up by the Tripple Alliance, used this Finess to break it; his Pensioners in *England*, represented to the King the Insolence of *De Wit* and the *Dutch*, upon the Treaty at *Breda*, and it may be, more than was true; and how that the *French King* had by the Treaty, restored what he took from the *English* in *St. Christophers* during the War; whereas the *Dutch*, still detained *Polloroon*, and *Suranam*, though taken in the War; and how Dishonourable it would be to the King not to vindicate his Honour herein, and how ready his Brother of *France*, would be to assist him in it. These Counsels had the Effects before shewed.

In all this time the *French King* entertained a Treaty with the *Dutch*, to be a Mediator between the *English*, and them, about their settling Trade and Commerce, but especially in the *East-Indies*; and the *Dutch* embraced the Overture, wherein the *French* were no more Sincere, than the *Dutch* were with the *English* in the Year 1667, before they fired our Ships in their Harbours.

The

The *Dutch* thus lull'd into Security by this Treaty, made no Preparations by Land against the *French*, either by raising an Army, or fortifying their Garrisons.

Whilst the *French King* was thus Wheadling *De Wit* and his Faction, he corrupted one *Mombas*, (a *French Man*, and an Officer of War in the *Dutch Service*) who betrayed all he could learn or observe to the *French King*; and one *Desroches*, a Captain in the Prince of *Conde's* Guards, and a Kinsman of *Mombas*, prevailed with him the Winter before the War brake out, to take a Journey into *France*, fully to inform the King of the State of Affairs in *Holland*, and to take further Instructions from the King:

Thus the *French King* having made a strict Alliance with the Arch-Bishop of *Cologne* and Bishop of *Munster*, (Two Implacable Enemies of the *Dutch*, for having filcht some Towns from them) utterly surpris'd the *Dutch*, and marched with a Mighty Army to *Wise*, a small City upon the *Maex*, in the Bishopprick of *Liege*, where he staid a Fortnight, for further Instructions from *Mombas*.

The *Dutch* now roused out of their stupid Security, to take Counsel what to do, the Prince of *Orange's* (though they had forsworn him Statholder, yet allowed him a Place among the States) Counsel was, to put Ten Thousand Men into *Mastricht*, and to encamp with the rest at *Bodegrave*, whose Scituation was most Advantageous to cover *Holland*, and to abandon the rest of the Places above the *Rhine*: Monsieur *Opdam*, and *Celidreck*, who spoke for the Nobility, were of the same Opinion.

But

But *De Wits* and his Faction, (little vers'd in Military Affairs, yet ruled all the Roast) would know all or lose all; (and so they did) and though the Garrisons upon the *Rhine*, were weak and ill provided, they made them much weaker, by detaching great Numbers out of them, to put into *Maestricht*.

Mombas gave the *French King* an Account of this, and how easily all the Towns upon the *Rhine* might fall into his Power.

The *French King* nicks the Opportunity, and put the *Maestricht*, and easily put to Flight, some Troops which the *Dutch* had advantageously posted to oppose him, and came before *Orsoy*, which next day was surrendred to him.

From thence he march'd to *Rhinburg* and *Doffery*, both which surrendred, and *Doffery* without shooting one Cannon, for which the Governour lost his Head: *Wesel* was delivered to the Prince of *Conde* after the Trenches had been opened for a Day or Two; and the Governour had a Sword passed over his Head by the Hangman, for making so feeble a Defence; *Barick* at the same time was taken by *Marshal Turenne*, and the Prince of *Conde* advancing took *Dendeckom*, *Rees* and *Emerick*, with the same Facility as he had done *Wesel*: Thus you see the *De Wits*, (or without Wits) after their supreme Negligence of preserving their Country for Twenty Year, by their Ignorance, or stubborn Opposition to the Prince, made the *French King's* Passage more easie, to destroy their Country.

Here the *French Arms* seem'd to stop, for the *Iffel*, by reason of its Depth, not only forbade the *French* a further Progress, but the strong Retrenchments on the other side, where the River is more formidable.

ordible: When Two Gentlemen of the Neighbourhood of *Tol-huys*, came to the Prince of *Conde* *Emerick*, and promised to shew him a Passage over the *Rhine*, where there was but One Hundred Men Swimming. The Prince of *Conde* hereupon, sent the Count *de Guiche*, to try the Truth hereof, with the Two Men, who brought the Count opposite to the *Tol-huys*, where plunging into the Water, the Count followed them, and found what they had said to be true.

The Prince hereupon acquainted the *French King*, who came that Night and supped with the Prince, and ordered his Army to march towards the *Rhine*, whither they came about Half an Hour before Day. You have seen how easie a Conquest the *French King* made of all the Towns upon the *Rhine*, by the Advice of these witless *De Wits*, now you shall see how by their Advice, they gave him as easie a Passage over the *Rhine*, to the Ruin and Loss of all their Up-land Towns, and Country on this side of it.

The Prince of *Orange* (who in this Exigence, *De Witt's* Faction permitted to be General) not knowing the Man, sent *Mombas* with a Body of Horse and Foot to guard the Passage over the *Rhine*, those of the *Well* being already secured from the Passage of the *French*; but *Mombas* seeing this might prevent the *French King's* Passage, wrote to some of the Deputies of the States, That there was no Likelyhood of the *French* passing the *Rhine*; but that if they pleased, he would put himself into *Nimeguen*, where he believed, they bent their March, which these Deputies ordered him to do.

At this time the Prince was gone out from the Camp with a Detachment, and upon his Return was surpris'd with what *Mombas* and the *Deputie* had done; and forthwith sent *Wartz* with some Troops to the *Tel-huys*, to Intrench himself there; but though *Wartz* made all the haste he could, the *French* appeared on the other side of the *Rhine*, which caused him to Intrench his Infantry, and caused the Cavalry to advance along the *Rhine*.

The *French King* caused his Cannon to play upon *Wartz's* Cavalry, who sheltered themselves from the Shot, among the Trees upon the River, whilst the *French* passed it, though some were drowned in it, which *Wartz's* Cavalry did not hinder; but when they perceived some of the *French Troops* had come over and began to form a Squadron, they came from the Shelter of the Trees, but instead of pressing upon the *French*, they made an Hault, and made their Discharge at so great a Distance, as did no Execution; and thereby gave the *French* an Opportunity of Joyning those who were before come over.

The Foot divided from the Horse, and discouraged by their base Cowardise, and not having time to Intrench themselves, demanded Quarter, which the Prince of *Conde* granted in case they laid down their Arms: But the Duke of *Longueville*, advancing to the Brink of the *Dutch Retrenchment*, fired his Pistol whereupon the *Dutch* discharged a whole Volley upon the *French*, and killed a considerable Number of them, whereof *Longueville* was one, and the Prince of *Conde* Wounded.

Hereupon the *French* stormed the Trenches wherein they found some Resistance, and put them to the Sword, but those who escaped by Flight

and took and plundered the Castle of *Tol-huys*, and put all the Isle of *Beine* under Contribution.

The Disaster of the *Dutch* ended not here, for the *Dutch* which guarded the *Iffell*, fearing the *French* would fall upon them behind, fled from their Posts, and left the Passage free to the *French*; so as the King in Person took *Doesburg* and *Turesune*, *Nimeuen*, *Swoll*, *Daventer*, *Grave*, *Arnheim*, *Skinen-bon*, and *Creveccuer*; and the Bishop of *Munster*, *Roventer*.

Whilst the King Besieged *Doesburg*, the Burgomasters of *Utrecht*, surrendred the Keys to the King, who sent the Marquess of *Rochfort*, to take possession of it; who made such Haste, that he neglected to take *Muiden*, then abandoned, where he might have bridled *Amsterdam*.

Thus you see to what a deplorable State the Ingratitude and Perfidiousness of these Men had brought their Country to; and you'll soon see that these Men who had sworn to exclude the Prince from being Statholder, shall themselves be deposed from being States; and no other visible Hopes left to free their Country from the Calamities which they had brought upon it, but by exalting this Prince, which they had formerly sworn never to do: And 'tis the more observable, that both the *De Wits* were Massacred by the Rage of the People, whom the *De Wits*, and *Barnvelt* before them, had placed all Sovereignty, and might do as they pleased.

To compleat the miserable Condition of the *Dutch* provinces, the King had raised an Army commanded by Marshal *Schomberg*, (who had done what he could for the *French* in *Portugal*, the Queen Regent

of *Spain*, upon the *French Irruption* into the *Spanish Netherlands* in 1667, having made Peace with *Portugal*) and Colonel *Fitz-Gerald*, an *Irish Papist*, Major-General: The Business of this Army was, as the Vogue went, That since the *French King* could not get that Part of *Holland* which was drench't by Fresh Water, to Souse it with Salt Water, by cutting down their Sea-Banks, but *Ponit Homo*.

For the *Dutch Mob*, astonished and confounded with the Loss of their Country by Land, and opposed by Two the most Powerful Kings in the whole World by Sea, in a Rage Assassinated the Two *De Wits*, *Cornelius* and *John*, as the Betrayers of their Country, and Causes of this War, and Depose the States, who they thought were of the *Lovestein*, or *De Wit's* Faction, and restore the Prince of *Orange* (now in the first Year of his coming to Age) to the Command of his Ancestors, and make *Mounseur Egell*, Pensioner of *Holland*.

The Prince being the King's Nephew, and having never offended him, raised an Expectation in the People, and Fear in the *French King*, that the King would not suffer the Prince to fall into a worse State than the *De Wits* intended, by suffering the *French* to conquer *Holland*, whereby the Prince's Authority must needs be swallowed up. This the *French King* foresaw, and therefore to obviate it the *French King* was the first who made Application to the Prince, and proposed to him the making him Sovereign of the *United Provinces*, under the Protection of *England* and *France*: (such a Protection was never heard of before) But the *French King* knew how to deal with his Brother of *England*.

It's admirable to consider, that notwithstanding the Conquest by the *French* of the other Provinces, and the Desolation of *Holland*, and the long Predices, even from his Cradle against him by the *Steuereisen Faction*, this Generous Prince in his most florid and Ambitious Age, should out of his Veracious, Innate Love to his Country, stand so firm to it, that his Answers were, That he would never betray a Trust reposed in him, nor sell the Liberties of his Country, which his Ancestors had so long defended, and God so blest him herein: But of these Ruins shall this limited Prince arise, and put Check to the Boundless and Arbitrary Ambition of this Designing, *French Universal* Monarch, as his Ancestors before, had to the *Spanish*.

The King it seems, could not but see, that whilst he got nothing but Blows by Sea, the *French* got all Land; and therefore sent the Duke of *Buckingham*, my Lords *Arlington* and *Hallifax*, to the *French King*, keeping his Court at *Utrecht*, but with Instructions as secret and dark, as those of making the War: These when they came into *Holland*, were informed of the *French Designs*; and that the King's Answer to their Deputies was, *viz.* That the King might treat as he pleased, but that what the *French King* had got, was his own; and that what he should get, he would not restore without an equivalent; which raised such an Indignation in them, that nothing would serve their Turn, but destroying, at least mastering the *French Fleet*: And in this Humour they went to the Prince of *Orange*, and promised the same; and engaged to their utmost, to bring the *French King* to be satisfied with *Mastricht*, and of keeping Garisons upon the Towns

upon the *Rhine*, belonging to the Electors of *Brandenburg* and *Cologne*.

From *Holland* Two of these proceed to the *French Court* at *Utrecht*, where the *French Air* changes their Minds they left in *Holland*, and about Four Days after, sent word to the Prince of *Orange*, that the *States* must give Satisfaction to both Kings jointly, and that neither would treat separately; upon which the Prince desired to know what the Kings Joint and respective Demands were, and of the New Agreement made by them, so contrary to their Promise to the Prince and States: Whereupon Mr. Secretary *Trevor*, makes these Queries.

1. Whether they were sent to promote the *French Conquest*? if not, why, by making the Peace impossible, as far as in them lay, would they force the *Dutch* to submit to the *French Dominion*?

2. Whether they did not know that the *French Demands* alone, had been rejected by the *States*, and that the granting of them, would make it impossible for the *Dutch* to give the King any Satisfaction?

3. Whether having received from the Prince and States, all imaginable Assurances of their Desire to return to the King's Amity, and to purchase Peace at any Rate they could, they could faithfully neglect these, and enter into a New Engagement, prejudicial to *England*?

4. How far those that were joyned in Commission, did concur in their Judgment; and whether these Considerations with many other, were represented to them, and urged by some who desired to serve the King faithfully?

5. Whether or no it was for that Reason that I opposed so fiercely my Lord Viscount *Hallifax*

who came a Day or two after them) Appearing and Acting jointly with them, though in the same Commission with them, in as ample a manner as themselves ?

6. Who were those who (after my Lord *Hallifax* could be kept out no longer) went privately to the *French Camp* under Pretences, and had Negotiations of their own on Foot ?

7. Whether they had Order to call the *French King*, King of *France*, and to name him before their Master, as well in the *French Demands*, as of his Majesty's, in all their Agreements which they sent to the Prince of *Orange* ?

8. Whether they had Instructions to stand in behalf of the *French*, upon the Publick Exercise of the Roman Catholick Religion in the *United Provinces*, the Churches to be divided, and the *Roman Priests* to be maintained out of the Publick Revenue ? and to bind the King's Hands, so that the *French King* may be sure of his Bargain, these Plenipotentiaries (Two of them) agreed with the *French*, that the King should not treat nor conclude a Peace with the *Dutch* without them : But the *French King* shall have no more Security herein, than the *Dutch* and *Spaniard* did in the King's joyning in the Tripple League.

For the Support of this Holy Catholick Design, good my Lord Treasurer *Clifford*, and a new Band of Parliament-Pensioners, never before heard of in *England*, at Board and Wages ; but these being a Band of Land-Privateers, are to tax the Country to pay themselves, and to do whatsoever shall be Comanded, or no Purchase no Pay.

In this State of Affairs the Parliament met again the Fourth of *February* 167², when the *Commons* like Men coming out of a drowsie Lethargy, began to consider the dangerous State of the Nation and the dangerous Consequences of the severe Prosecution of Protestant Dissenters, by provoking them to joyn with the *Popish*, and therefore, though they questioned the King's Declaration of Indulgence and no Money was like to be had, unless he recalled it; yet upon the Fourteenth of *February*, the *Commons* Resolved, *Nemine Contradicente*, That a Bill be brought in for the Ease of his Majesty's Subjects who are Dissenters in matters of Religion from the Church of England: And a Bill Passed the House accordingly, but was stopt in the *House of Lords*, *Causa pariter* the dead Weight joyning with the Caballing Party.

But whatever the *Commons* thought of the King's Dispensing Power in England, *Lauderdale* (the Fifth in the Cabal in England) was of another Opinion in Scotland, for in the Second Parliament c. 1. held by him, he gets an Act declaring, That by Virtue of the King's Supremacy, the ordering the Government of the Church, does properly belong to his Majesty and Successors, as an Inherent Right of the Crown; and that he may Enact and Emit such Constitutions, Acts, and Orders concerning Church Administrations, Persons, Meetings and Matters as he in his Royal Wisdom shall think fit, &c. and Law, Act or Custom to the contrary, notwithstanding.

And that he might not be less Active in Scotland than his Brother *Clifford* was in England, and *Buckingham* and *Arlington* were in Holland, being armed with these other Powers, he made all sorts of Pro-

ple depose upon Oath, their Knowledge of the Persons of Dissenters, not *Popish Meetings*, in the Exercise of their Worship, upon Penalty of Fining, Imprisonment, Banishment, and Transportation, and to be sold for Slaves; Imprisoning all Outed Ministers, who shall Preach out of their Families, till they give Security of 5000 Marks *Scot*, not to do the same again; every Hearer, being a Tenant, to pay 25 *l. Scot* and Cotter 12, *Toties Quoties*, they shall offend; and that it shall be Death for any to Preach in Fields or Houses, where any are without Doors; and 500 Marks Reward for any to secure such Dead or Alive; and gave Orders, That every Man for himself and all under him, should give Bond, not to go to Field-Meetings, and to Inform against, Pursue, and Deliver up, all Outed Ministers to Judgment.

The Execution of these Orders were not by Legal Officers, but by an Army of *Highland Robbers*, who Quartered upon the Country; so that it may be a Question whether the *French King* did not take his Measures in his Dragoon-Reformation, by the Ground-work laid by *Lauderdale*.

But his Grace (which it seems did work irresistibly) did not stay here; for his *Highland Army*, which consisted of Eight or Nine Thousand Men, not only lived upon Free Quarter, upon all sorts of the King's Peaceable Subjects, but in most Places Levied great Sums of Money, under the Notion of Dry Quarters; and in their Quarters, they had only Regard to the Duke's private Animosities; for the most part of the Places where they Quartered and Destroyed, had not been guilty of Field-Conventicles. The King's Subjects were denounced

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Rebels,

Rebels, and *Captions* issued out for seizing their Persons, for not entring into Bond, That neither they nor any under them, shall go to Field-Conventicles; and disarmed the Nobility and Gentry, who had ever been Faithful to the King, and Assisted in suppressing Field-Conventicles: Indictments were delivered in by the King's Advocate in the Evening, to be Answered next Morning upon Oath, otherwise they were to be reputed Guilty. These and many more of this Kind, in the Matters relating to *Lauderdale's* Administration of Affairs in *Scotland*, were represented to the King, and that by his Command; and are in *Lauderdale's* and his Ladies Impeachment, which are all in Print. Notwithstanding all this, it was this *Lauderdale*, who had procured an Act of Parliament to raise Twenty Thousand Foot, and Two Thousand Horse, to march into *England* to serve the King upon all Occasions. And though the Duke to prevent the Fame of his Actions arriving in *England*, had by a Proclamation forbid all Subjects to depart the Kingdom without License, yet the Noise of his Actions, flew every where in *England*, not less than the Censures of the *Star-Chamber* and *High Commission*, in *Laud's* Regency, did in *Scotland*; and in due time the Duke shall hear of them: Can any Man now believe, That the King by his Declaration of *Indulgence*, intended any Benefit to the Dissenters in *England*, whilst *Lauderdale*, without doubt, by his Order, was acting these things in *Scotland*?

The House of Commons could not at first Step, forget all the Loyalty they before profest to the King, nor yet would they own the *Dutch War*, and therefore they Voted the King 1238750 l. to supply

supply the King's extraordinary Occasions ; but before they would let this Bill slip through their fingers, they tack't a Bill to it, by which no *Papist* should hold any Publick Employment: This Bill reach't my Lord Treasurer *Clifford*, the first in the Cabal, who was forced to resign his Treasurers Place, or renounce *Popery*, which he would not do; his Pensioners not being against it, hoping thereby to get the Places which the *Popish Party* held ; and even my Lord Chancellour *Ashley*, from *Delenda Carthago*, now sets up for the Country Party, against the Designs of the Cabal: So Moultry are all Designs, which are not cemented in Justice and Honour. The King having got the Bill for the Money, the further sitting of the Parliament became uneasie to him, whereupon the Parliament was Adjourned till the Twentieth, and after, to the Twenty Seventh of October, viz. 1673.

During this Recess, there were Three Sea-Fights between the *English*, *French* and *Dutch*, Prince *Rupert* Admiral, in all which the *French* stood Aloof, looking on whilst the *English* and *Dutch* battered one another ; only Mounieur *de Martell*, for Engaging, was Recalled, Check'd, and Dismissed.

As the *English* thrived no better by Sea, so neither did the *French* by Land ; for first the Elector of *Brandenburg*, then the Emperor, and at last the King, or Queen of Regent of *Spain*, apprehensive of the Danger common to them all, of the *French* subduing the *Dutch Provinces*, entred into a mutual league for their Defence : And by their Conjunction, the Prince of *Orange* recovered many of the *Upland Towns*, in almost as little Time as the *French* had taken them.

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In this State the *Swede* now broke loose from the Tripple League, whereby he opened the Gate to let in this Confusion, and become a Pensioner to *France*, proposes a Treaty of Peace, to be held at *Cologn*; and thither the King, the Emperor, the *French King*, and the King of *Spain*, send their Plenipotentiaries to treat of it.

The *French King's* Propositions were so Insolent that granted, our King could have nothing; yet the King (*pudet hac*) insisted, That though he was contented with such Propositions as he required so as accepted in Ten days, yet if granted by the *States*, they should be of no Force; nor will he enter into any Treaty of Peace, unless his Most Christian Majesty shall receive Satisfaction from the *States* in his Particular.

After the *French King* should have all, the King's Demands were, a Regulation of the Trade to the *East-Indies*, a Settlement of the Freedom of Navigation in *Europe*, the Arrears for the Fishing Trade upon the *English Coast*, to ascertain a settled Revenue to the Crown, for every Buss or Dogger Boat for the future; and to make Satisfaction for the Damages sustained by the Depredations upon the Ships and Lading taken from Sir *Paul Pindar* and Sir *William Courten*, &c.

In this Interval of the Parliament's Recess, the King took the Seals from my Lord Chancellor *Ashley*, now made Earl of *Shaftsbury*, and gave them to Sir *Heneage Finch*, a Person of singular Integrity, Eloquence and Veracity; who to those infinite Excellencies which were natural to him, improved them, by the great Example of his Uncle *John Finch* likewise Keeper of the Great Seal in the King's
Father

Father's Reign ; yet with a different Fate, for the Temper of the Times, would not bear his Uncle's Integrity, Eloquence, and Veracity ; whenas the Nephew, with prosperous Gales, continued his Course till he arrived at Lord *Chancellour*, Lord *Daventry*, and Earl of *Nottingham*, and kept the Seals to his Dying Day ; which not one of his three Predecessors could do : And Sir *Thomas Osburn* succeeded Lord *Treasurer* : So *C.* and *A.* are out, we shall soon see what became of *B.* *A.* and *L.*

At last the Twentieth of *October* came, and the Parliament met again ; but the Marriage of the Duke with the Princess of *Modena* was not compleat, but that it might not meet with Opposition ; the Parliament was prorogued till the Twenty Seventh : (the Cabalists had found out this Trick, that when the Parliament did not act as they pleased, to prorogue them, and thereby make them say over their Lesson again.)

However, upon these Terms, upon the Twenty Seventh the Parliament met again ; when at the Opening of the Session, the new Lord Keeper, with admired Eloquence and Veracity (which he retained to his dying Day) made a large Deduction of the Dutch *Averseness* to Peace ; their uncivil Demeanor to the King's *Plenipotentiaries* at *Cologne*, and how indirectly they dealt with the King in all the Overtures of Peace ; and therefore a necessary Supply, proportionable to the Greatness of the King's Affairs, was not only demanded, but Care to be taken for Payment of the Bankers Debt, otherways Multitudes of the King's loyal Subjects would be undone.

But

But neither the Keeper's Eloquence nor his Veracity would down with the *Commons*; for during this Process, the Terror of the *French Progress*, had alarmed the Nation, as well as the rest of *Christendom*. The *French Legerdemaine* at Sea, was so much more taken notice of, as our Loss was more, by their looking on, whilst the *English* and *Dutch* destroyed one another: The *Commons* were frightened at the standing Army in *England*, commanded by a Foreigner, and an *Irish Papist*; taking all Military Liberty as in Time of War: It was more than whistled, the Conditions proposed by the King's *Plenipotentiaries* at *Cologne* were impossible; which though granted, yet no Peace was to be had, unless the *French King* was answered in his Demands; nor were the *Commons* content with their Prorogation, till the Marriage with the Princess of *Modena* was past cure.

Hereupon the *Commons*, on the Thirty First of *October*, bound themselves by a Vote, That considering the present Condition of the Nation, they will not take into further Consideration, any Aids or Charges upon the Subject; except it shall appear that the Obstinacy of the *Dutch*, shall render it necessary; nor before this Kingdom be effectually secured from Popery and Popish Councils, and other Grievances redressed.

This early Vote of the *Commons* was so much more surprizing to the Band of *Pensioners*, who as yet had not earned their Bread, by how much they expected Mountains of Gold, should fall from my Lord Keeper's Eloquence and Veracity: And now is the King, like his Father, when he went to *Tork* to fight the *Scots*, reduced to a fine State, all the Monies received

ived from the *French King*, like Water spilt upon the Ground, never to be collected ; besides the Band of *Pensioners*, he had a Land Army to maintain, and a Fleet at Sea, which the *French Subsidies* would not One Fourth maintain ; he could not avoid the Clamour of his Subjects, whose Monies were shut up in the *Exchequer*, nor the Merchants who had supplied his Navy in this and the former *Dutch War* ; yet their *Graces*, the *Dutcheſſes of Cleveland and Portsmouth*, must be maintained suitable to their Qualities, so must the *Dukes of M— G— S— N— R— St. A—* and *Earl of P—* besides Portions to be provided for many of his Off-spring of the other Sex : He had already provided Titles for the Cabal, except *Buckingham*, who could not be greater : However, you'll see this Vote of the *Commons* will work powerfully (notwithstanding the Agreement at *Utrecht*) that the King shall not make a sepearte Peace without the *French King*, nor any Peace with the *Dutch* unless the *French King* shall be satisfied in his Particulars at *Cologn*.

Nor did the *Commons* stay here, but *C.* and *A.* being gone, one dead, the other turned t'other side, but they fell upon *B. A.* and *L.* and addressed themselves to the King that they might be removed from his Counsels, Presence, and all publick Imployment, and upon the Fourth of *November*, moved.

1. That the *Alliance with France* was a Grievance.
2. That the evil Counsel about the King was a Grievance to the Nation.
3. That the *Lord Lauderdale* was a Person grievous to the Nation, and not fit to be trusted in any Office or Trust, but to be removed.

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The Rump of the Cabal, thus used, frightened the whole Band of Pensioners into a Fear, their Turn would be next, at least their Pensions not paid, and therefore to undo all that was done, in an Hurry the Parliament was prorogued to the Seventh of January following, not having sate Eight Days.

But the *Commons* needed not to have been so fierce upon *B. A.* and *L.* for *B.* was now going off, and *A.* being the King's Brother-in-Law, was spited, that he was twice baulked in being Lord Treasurer, and if he did not turn to t'other Side, yet he would never be reconciled with my Lord Treasurer: Only *L.* now remained to be quit with the *Commons*, to get an Act of Parliament in *Scotland* to raise Twenty Thousand Foot and Two Thousand Horse, to serve the King upon all Occasions.

The King having so hastily begun this War, by Two such Acts as were without President, viz. the shutting up the *Exchequer*, and attempt upon the *Dutch Smirna-Fleet*; was now as forward to make a Peace with the *Dutch*, even upon any Terms: Tho' but last Year his *Plenipotentiaries* had agreed at *Utrecht* with the *French King* not to make Peace with the *Dutch* without him; and this Year at *Cologne* to grant no Peace unless the *French King* be satisfied in his Particulars.

By this time the *CABAL* was degenerated into a *Juncto*, and this was compounded too of Five, viz. my Lord Keeper *F—L—Landerdale*, *Arlington*, and Secretary *Coventry*, in Room of Secretary *Trevor*, now dead.

It was agreed by the whole *Juncto*, That Sir *William Temple* was the most proper Agent for making this Peace, not only for his Abilities and great Reputati-

he had acquired in concluding the *Triple League*, for the Honour and Esteem, the King of *Spain* and *States of Holland* held of his Integrity and Conduct: And in order hereto my Lord *Arlington*, from the King and *Juncto*, complemented Sir *William*, and told him he would not pretend the Merit of having named him (Sir *William*) upon this Occasion, whether the King or my Lord Treasurer did it first; but that the whole Committee joined in it, and concluded, That since a Peace was to be made, no other Person to be thought so fit for it, and therefore the King, with many kind Expressions, gave order to Sir *William* to prepare for his Journey, and the Secretary to draw up his Instructions.

But how forward soever the *Juncto* were for Peace, the *Dutch* out-run them, or at least kept equal pace with them: For though the Prince of *Orange* were victorious in *Holland*, and with admired Prudence and Conduct, like another *Scipio*, carried the War out his Country, and thereby saved it; for in the Dead of the Year he joyned *Montecuculi* the Emperor's General, and besieged and took *Bon* (the Residence of the *Elect*or of *Cologne*) and thereby cut off the Communication between *France* and *Holland*, whereby the *French* were forced, not only to quit their conquered Towns by Heaps, but he opened a Passage for the *Imperial Forces* to joyn the *Dutch* and *Spanish*: Yet the *Dutch*, having but newly recovered their drowned Country, and lost their Trade, the Charges of maintaining their Land Army became so great, that it was impossible this Year to set out a Fleet by Sea.

The *Dutch States* therefore gave the Marquess of *Frezno* (the *Spanish Ambassador* in *England*) Power to

to treat and conclude a Peace with the *King*, which came in Three Days after the *Juncto* had sent to *William*; and this, by Sir *William*'s Advice, stay'd his Journey into *Holland*, it being more honourable for the King to be sought to, than seek a Peace, and that the King's Interest might be better pursued at *London* than at the *Hague*.

The King and *Juncto* agreed to it, and withal added *That though Sir William did not treat the Peace at the Hague, he should at London*: And when Sir *William* had received his Instructions, he at Three Meetings with the Marquess concluded the whole Treaty with Satisfaction to the King.

Sir *William* says, the Articles being publick, need no Place here; but the Two Points of greatest Difficulty were the Flag, and recalling the *English Troops* out of the *French Service*: But that this last was composed by private Engagements to suffer those to wear out without any Recruits, or not to permit new ones to go over; yet at the same Time to give Leave to the *Dutch* to raise such Levies as they should think fit in his Majesty's Dominions.

But this is an odd Equivocation to recall the *French Troops*, which was to let them wear out, without Recruits, which was not observed neither for Men were not only encouraged, but pressed to this Service, and to these in the *French Service* does Sir *William* and the *Germans* too, ascribe the Glory of all the *French Actions*, who, not only in *Turenne's* Life, but at his Death, saved the whole *French Army*: But if this be as Sir *William* says, yet the King hereby, instead of being the Protector, becomes a Murderer of his Subjects, in permitting them to kill one another on both Sides, for it is impossible the

War should be just on both Sides : Nor do I believe the like President can be shewed, unless by the King's Grandfather, *James the First*.

I confess I have not seen the Articles of the Treaty at large, but by so much as I have seen, I do not find that the Arrears for the *Dutch Fishing* upon the Coasts of *England* and *Scotland*, agreed upon in King *Charles the First's* Time (which was 30000 *l.* per Annum) and a settled Revenue for that Fishery for the Time to come, and insisted upon at the Treaty at *Cologne* ; nor the Damages to the Executors of *Sir Paul Pyndar* and *Sir William Courten*, were so much as mentioned in it : It may be the Eight Hundred Thousand *Patacoons* to be paid by the *Dutch* to the King by this Treaty, was intended in Satisfaction of the Executors Demands, of which they denied they ever received one Penny.

This hasty Peace, thus huddled up, in less than four Days, viz. between the Fifth or Sixth and Ninth of *February*, would not admit of the Establishment of a *Marine Treaty* and *Regulation* of the *East-India Trade* between the *English* and *Dutch*, and Treaty at *Cologne* : And therefore it was agreed, that Commissioners on both Sides were to meet at *London* to treat of these, and determine them in Three Months after such Meeting, and in Case any Differences should not be adjusted, these to be referred to the Queen Regent of *Spain*, who should name Eleven Commissioners, the greater Part of whom should determine the Differences in Six Months after, and these to meet in Three Months after the Queen Regent shall have taken the foresaid Arbitrament upon her self.

But the *States*, , as wise in this Treaty, as the *English* were improvident and hasty, got the *Seventh Article* agreed to ; viz. That the Treaty made at *Breda* 1667, as also other Treaties renewed by it, confirmed and remain in full Force and Vigour, as far as they shall not be contrary to this present Treaty.

The *Marine Treaty* was agreed by the Commissioners ; but the first and fifth Article ill observed by the *Dutch*, as I have seen made publick ; but nothing was agreed for the Regulation of the *East-India Trade*, nor any thing concerning it referred to the *Queen Regent of Spain*.

This is that honourable Peace, to his Majesty's Satisfaction, which succeeded this glorious War, the Expence of such vast Treasure and Charge to *England*, and involving *Christendom* into a War where we taught the *French* to fight by Sea, while they encouraged the *Dutch* and *Us* to destroy one another whereby we got nothing but dry Blows, but the *Eight Hundred Thousand Patacoons* : For the *Fleur de Lys* was ever given by the *Dutch* to *Queen Elizabeth*, *King James*, and *King Charles the First* ; and by the Treaty to *Oliver* in 1654, and to the King in 1660 and 1667, nor ever desired by the *States* : But the *Dutch* got confirmed the Islands of *Amboyna* and *Moluccoon*, which they had ravished from the *English* whereby they not only supply *Europe*, but *India* and *Persia* with Spice, and *Suranam* ; and also got discharged again from the Piracy or Robbery perpetrated upon the *Bona Esperanza*, and *Henry Bonaventura*, in Time of Peace, and all the Arrears of *Thirty Thousand Pounds per Annum*, for fishing upon our Coasts since 1636. So little Regard was had in this Treaty, either of the King's Honour

honour, or of the Good or Interest of the Nation.

However 'twas the Interest of *Spain* to promote this separate Peace with the *Dutch*, for this Year the *French King* having bribed the *Swiss* to a Compliance, took the *Franche County* from *Spain*, the *Swiss* keeping Garrisons in *Dole* and *Besançon*; and this Year *Messina* revolted from *Spain*, and submitted to the *French King*.

C H A P. * I I I.

A further Detection of this Reign till the breaking out of the Popish Plot.

TO mollifie his most Christian Majesty, highly exasperated you must think, by this Peace, the King, 'twas said, and I believe it, sent his Ship-Carpenters to instruct the *French* how to build his Men of War: And I say, Sir *Anthony Dean* told me that by order of the King, he built the Model of a Man of War (as I remember he said of an Hundred and Fifty Tuns) and carried it by Water to *Rhoan*, from whence the *French King* conveyed it by Land to *Versailles*, and had it launched into his great Pool he had made there, where he came on Board and had much Conference with Sir *Anthony* upon it.

And if the Service of the *English*, commanded by *Turenne* in *France* were not sufficient for carrying on the War against the *Confederates*; the King emptied his own *Magazines* to fill the *French*; and that from June 1675, to June 1677, *Granadoes* were sent

without Number under Colour of unwrought Iron
Lead-Shot Twenty One Tuns, Gun-powder Seven
Thousand One Hundred and Thirty Four Barrels,
Iron-Shot Eighteen Tun Six Hundred Weight, Match
Eighty Eight Tuns, and a Thousand Weight, Iron
Ordnance Four Hundred Forty One, Quantity Two
Hundred Ninety Two Tuns, Nine Hundred Weight
Carriages, Bandaliers, Pikes, &c. uncertain.

In Return of these Kindnesses the *French King* not
only exorbitantly enlarged his Impositions upon the
English in their Trade to *France*, but let loose his
Privateers upon the *English*, as if there had been no
Peace, and plundered, murdered, made Prize of
their Ships and effects, and confiscated them
block't up our Coast, and took our Ships out of
their very Ports: And if Complaints were made at
his Sovereign Port, they were baffled, except some
which were redeemed by Sir *Ellis Leighton's* Interest
(a most notorious —) who made a second Prize of
them: Mr. *Marvel*, at the End of his Growth in
Popery, gives an Account of sixty three of these
with the Masters Names, their Burden, Lading
and the Ports they belonged to, from the Beginning
of 1674, to the latter End of 1676.

Now the King, who, by his War, had set *Chri-*
stendom in a Flame, being himself got out of it, he
sets up to be a Mediator for Peace, and no Man
so fit for to be employed in it as Sir *William Temple*
who having observed how the Ministers had deceived
him or themselves, and advised the King not to
break Treaties so solemnly agreed upon, would not
take this Employment upon him, before he had
founded the King's true Sentiment, and trusted
more to his Ministers.

Sir *William* therefore, in a Conference with the King in his Closet, and in a well composed Speech, reflected upon the Cabal, how ill he had been advised to break Treaties so solemnly agreed to, and how ill they had succeeded, how different the Constitutions of *France* were from those of *England*, and how different the State of the Crown now was, from that when it had the Court of Wards, and Knights-Service, and large Revenues of Lands, and Fee-Farms, which now were alienated, so that *Gourville*, well observed, that a King of *England*, who will be the Man of his People, is the greatest King in the World, but if he will be something more, he is nothing at all..

The King heard Sir *William* attentively, yet impatiently at first ; but at last the King said *Gourville* had Reason for what was said : And said, *And I will be the Man of my People* ; but you'll see the King shall not long hold in this Mind : For Monsieur *Barillon*, the French Ambassador, and the Dutcheſs of *Portsmouth*, by the Agency of a French Monk, who had changed his Frock for a Petticoat, shall unravel all Sir *William* had been weaving in the Treaty of *Nimeguen*.

Sir *William's* Embassie was declared in *May* 1674, and his Dispatches finished in *July* following, when he went into *Holland* : But it seems to me, the French Interest was chiefly designed, even in this Embassie ; for though Sir *William's* Instructions were for a general Peace, yet his Application was first to the States, and after to the Prince, that they would accept of it, and after their Acceptance of it to endeavour it with their Allies, which looks as if the King rather intended a separate Peace with the Dutch

and *Spaniard*, than a general one, and this the King endeavoured during the whole Treaty at *Nimeguen* as you may see at large in the second Part of Sir *William Temple's* second *Memoirs*, and so ended at last and so the *States* understood it, though at first they were desirous of a separate Peace; yet, in Honour they could not leave out the *Confederates* who had saved their Country: And if the *French King* could have a separate Peace with the *States* and *Spain*, he little cared for the Empire being in a Treaty with Count *Tekely*, to raise a Rebellion in *Hungary*, and to engage the *Turk* in a War against the Empire.

Though the King had got out of this War, yet this Summer the *French King* got the *Swede* into it (and as justly as the King began this War, by his Attempt upon the *Dutch Smirna-Fleet*; for the Elector of *Brandenburg* having withdrawn a great Army out of his Country to assist the *Confederates* upon the *Rhine*, against Monsieur *Turenne*, who commanded the *French*) without declaring War the *Swede* made War against him in *Pomerania*; though it had like to have lost the *Swede* all he had in *Pomerania*; for the Elector returning at the latter End of the Summer, routed the *Swedes Army*, and after took *Stettin* (the *Metropolis* of *Pomerland*) and had kept it, if afterwards the *Dutch* had not made a separate Peace, and left him and the Empire too, who had saved them, to the Mercy of the *French*: And this had been done a Year sooner if the noble Constancy and Authority of the Prince of *Orange* had not opposed it, who this Year fought the great Battel at *Senneff*, against the Prince of *Conde* with uncertain Victory.

You have seen how we got Peace abroad, now let's see how things stood at home. Though the Popish Party had been twice baulked in their Designs; I mean by the King's recalling the Indulgence, and this Peace; yet were their Hopes and Designs by the Marriage of the Duke with the Princess of Modena, more heightened than ever, for they knew the King being involved in all sensual Pleasures, and therefore hating the Cares and Troubles of Business, might easily be prevailed upon by Importunity; and the Dutches being an adopted Daughter of France, and having her Advancement and Portion from the French King, was obliged to propagate the French Designs with the Duke, and he with the King: And the Advancement of the Catholick Cause was the most pious and glorious Work they could promote, and therefore Coleman (the Duke's Secretary) now holds Intelligence with Father Ferrier (the French King's Confessor) Ferrier with the Jesuited Faction in France, and Coleman with those in England, how to manage the King in order to it.

The Bargain was soon made by Coleman and Ferrier, and his *Christian Majesty* was fully satisfied of the Duke's good Intentions towards him, so that he esteemed both their Interests to be one and the same: This Return was by Sir William Frogmorton, June 2. S. N. 1674 to Coleman.

This, Coleman communicates to the Duke, who commanded Coleman to Answer, That the Duke was very sensible of his most *Christian Majesty's* Friendship, which he would cultivate with all the good Offices he was capable of, and that the Duke was fully convinced that their Interests were one, and that

the Parliament was not only unuseful but dangerous both to *England* and *France*, and that it was the Duke's Opinion, That if his most *Christian Majesty* would write his Thoughts freely to the King, upon this Subject, and make the same Offer of his Purse to dissolve this Parliament as he made to the Duke to call another : He did believe it very possible for him to succeed, and from this time to the breaking out of the popish Plot, you shall see the Parliament called, prorogued and adjourned, by Order from *France*, or *French Ministers* and *Pensioners*.

That this Design may be carried on in Masquerade, the whole Band of Pensioners make it their Business to possess whom they could perswade, That the Church is in Danger (truly said, but untruly intended) and that the Nation was running into Forty one : All Countenance, and Hopes of Preferment was promised to those who would support the Church and State from the Danger of Forty One. This was blazed abroad, and encouraged by all sorts of printed Pamphlets, and if they met with Opposition, the Authors and Printers were persecuted for publishing unlicenced Pamphlets : Mr. *Roger L' Estrange* was the Champion and Pensioner of the Cause : Never did Man fight so to force the Whigg into the Church, and when he was there, made a Trimmer of him, and would have him out again : Forty one was his Retreat against all who durst contend against him and the Government. This was the Licencer of the Press, but never was there such a Press Rifter.

For propagating this Holy Cause, Sir *Francis North* is made chief Justice of the *Common Pleas*, Sir *Richard Rainsford* cheif Justice of the *King's Bench*,
William

William Mountague cheif Baron, *Vere Bartue* a Baron
the *Exchequer*, *Sir William Scrogs* a Justice of the
Common Pleas, and *Sir Thomas Jones* of the King's
bench, Men all *durante bene placito*: Yon need not
for the Chancery, for at this Time there were
our Lord Chancellours and Lord Keepers alive.

The Parliament was to have met the tenth of No-
ber 1674, but the Instructions from *France* were
yet sufficiently ripened, so 'twas put off till the
thirteenth of *April* 1675.

At the opening of this Session my Lord Keeper
old the Houses, *No Influence of the Stars, no Configu-
ration of the Heavens are to be feared, so long as these
Houses stand in a good Disposition to each other, and
in an happy Conjunction with their Lord and Sove-
ign, but they ought not Quieta movere, nor res parvas
magnis motibus agere.*

The House of *Commons* had been sullen these two
last Sessions, and proceeded contrary to the Humour
and Design of the Court, and therefore a Bill was
brought into the House of *Lords*, intituled an *Act* to
prevent the Danger which may arise from Persons disaf-
fected to the Government, which was the same imposed
upon the dissenting Clergy by the *Oxford five Mile
Act*, this my Lord Keeper said was a moderate Se-
curity to the Church and Crown, which no honest
Man could refuse, and who did, gave great Suspici-
on of dangerous and antimonarchical Principles:
This Oath or Abhorrence or Test, is mentioned be-
fore, and was now set on Foot, to be taken by all
who enjoyed any beneficial Offices, ecclesiastical, ci-
vil, or military, to which were added privy Coun-
sellors, Justices of Peace, and Parliament Men.

It's

It's strange to me that Princes, or indeed other Men, who have any Piety or Fear of God, should think to be secure in unjust Actions, by Mens swearing to observe them: For though Human Actions be voluntary, yet the End and Design by them, not in Human Power: *Paul* may Plant, and *Apoll* Water, but only God can give a Blessing; with what Reason then can any Man expect a Blessing from God, because his Sacred Name is Profaned and made as a Stalking-Horse to attain it? What Security had the *Presbyterians* by their Covenant or the *Rump-Parliament* by their Engagement; or *Oliver* or his Son, by their Recognition? and more I think the King could not expect hereby.

Whereas Princes whose Thrones are Established by Justice and Righteousness, have a Nobler Security than can be hoped for, by Mens previous Swearing to get Offices and Employments; so that *Trajan* who was truly called the *Just*, put his Sword into the *Prætorian Prefect's* Hands, and bid him draw it against him, whenever he should attempt any thing against the Publick Good.

This King had a way never gone by any of his Predecessors, to be present in the House of Lords at Debates; and would sollicite Lords for their Votes: This was first declaimed against by my Lord *Lucas*, as an Awe upon the Peers in their Debates and Votes. This Oath being the Gap to let in the Popish Designs, you cannot think the King would now be away, but give all Countenance to the passing of it: The Bishops to a Man were for passing it; so were all the Court-Lords, or those who hoped for Preferment, so as these were the much greater Part: Yet the Country Lords when they

debated it in Paragraphs, made it inconsistent with the present Constitution of the Nation, in and superfluous, and inconsistent in it self, which held for Seventeen Days together: But the Debates were laid aside by the Commons Vote against the Jurisdiction of the Lords in Appeals from Wancery. These Debates you may read at large Print, in a Tract, Intituled, *A Letter from a Person of Quality, to his Friend in the Country.*

But because my Lord Keeper will have it an ill Distinction between the King's Natural and Political Capacity, I'll put one Case, which I do not find in all these Debates: The one Part of the Oath is, I Declare, *That it is not Lawful upon any Pretence whatsoever, to take up Arms against the King, and, That I do abhor that Traiterous Position of taking Arms by his Authority against his Person, or against those who are Commissionated by him, in Pursuance of such Commission.* Suppose Duke Lauderdale should have a Commission from the King to bring his Twenty Two Thousand Scots into England, (and you cannot believe the Scottish Law to do it, was made to no purpose) and Plunder, and dispossess the English of their Estates; and the Sheriffs of the Countries should raise the *Posse* to suppress them, and compel them to keep the Peace, as the Sheriff by his Commission and Oath is bound to do; On which side does the Abhorrence of the Traiterous Position of taking Arms against those Commissionated by the King, lye? But you'll say this cannot be imagined; and I say the Design of imposing this Oath, makes this not only imaginable, but believed to be intended.

In the Debates, the Commons raise a Storm against the Lords Jurisdiction in Appeals from Chancery; upon which the King Prorogued the Parliament to the Thirteenth of October 1675.

Though the Duke lost Ground in the House Commons, and was disappointed in carrying the *Abhorring Test* in the House of Lords, yet he gained so much upon the *French King*, that upon the Second of June, he offered the Duke his Friendship, the use of his Purse to the assisting of him against the Designs of his and the Dukes Enemies, and protested their Interests were so close linked together, that those who opposed the one, should be looked upon as Enemies to the other; with more, as you may read in the Duke's Letter to the *Chaise*, the Twenty Ninth of June, 1675.

Though the *French* could not fight against the *Dutch* in Conjunction with the *English*, yet without the *English*, they can fight the *Spaniard* and *Dutch*. For the *Spaniard* (having block'd up *Messina*, in Sicily, by Land, which last Year revolted to the *French*) agreed with the *Dutch* to send a Fleet of Men of War to joyn the *Spanish*, to block up *Messina* by Sea, which the *Dutch* this Year did under *Ruyter*; but were so niggardly in it, that the *French* beat both *Dutch* and *Spanish Fleets*, and killed *Dutch Ruyter*: This was a just Reward returned to the *Dutch*, for building the *French*, Six great Men of War, Six or Seven Years before. Just so *Richlieu* served the *Spaniard* in 1637, for joyning with the *French*, in expelling the *English* out of the *Isle of Rhee*.

Though the King were the first in the Triple League for the Guaranty of the Treaty of *Aix*, for

Preservation of *Flanders*; and though the King his Declaration at the beginning of this War, engaged to support the Peace made at *Aix*: the *French King* this Summer took the City of *Amberg*, being the Chief of one of the *Spanish Provinces* which the King not only takes no Notice of, tells Sir *William Temple* (newly commanded out *Holland* by the King) that some warm Leaders both Houses, had a Mind to engage him in a War against *France*, which they should not do, because he was sure they would make use of it to the Ruin of his Ministers: If the King were unhappy in his Declaration, he was not less in saying this to Sir *William*, to whom the Year before, he promised to be the Man of his People, but is now of his Ministers: And sure he was the first Prince that ever profest it.

Upon the Thirteenth of *October* the Houses met, and the King asked a Supply for building Ships, and to take off the Anticipation upon his Revenue.

In the Interval of this Recess, the Debates of the *Abhorring Oath* became Pub'ick, which so netled the Court and Church-Party, being the more numerous, that since they could not prevail by Reason, they would by Fire, and therefore ordered them to be burnt, which made the Debates so much more to be enquired into, and thereby received a greater Light.

The Commons had before them several Bills for preventing future Mischief, viz.

The *Habeas Corpus* Bill.

A Bill against sending Men Prisoners beyond Sea.

Against Raising Money without Consent in Parliament.

Against Papists sitting in either House.

For more speedy Convicting of Papists.

And

And for *Recalling his Majesty's Subjects out of French Service.*

These Bills being so Diametrically contrary the *French and Popish Designs*, and the Commons now more Peremptorily than before, opposing Lords Jurisdiction in Appeals from *Chancery*; that they Voted, *Whosoever shall Solicit or Prosecute any Appeal against any Commoner of England, from any Court of Equity before the House of Lords, shall be deemed and taken a Betrayer of the Rights and Liberties of the Commons of England, and shall be proceeded against accordingly*: And the Commons having Committed the Council (who Pleaded before the Lords to the Tower: (How much is the Case now altered The King took thereby an Occasion to Prorogue the Parliament from the Twenty Second of November 1675, to the Sixteenth of February 1676 which is above a Year; in which time, by a Law in *Edw. the Third's Time*, a Parliament was to be Called, and as it was without President, so it caused new Debates and Heats in both Houses, when they met.

In this long Recess, I find but few Motions of *French and Popish Councils*, more than what appeared in *Sir Thomas Gascoigne's Things* and other Tryals. For *Coleman's* last Two Years Letters were Suppressed as was his Book of Entry's; and the Commotion raised in *Britany and Guiene*, by the Impositions imposed upon the Inhabitants, hindered the *French* this Year from their usually more early opening their Campaigns, than the Confederates; so that every where the Confederates prevailed against the *French*: *Turenne's Army* was distressed by *Monteculi*, and himself killed; yet the Army got on the *French*

French side of the Rhine, by the Bravery and bold
 hands of the *English*. The Dukes of *Lunenbourg* rout-
 ed Marshal *Creguy's* Army, and after took *Triers*,
 and made *Creguy* Prisoner; and the *Imperialists* al-
 so took *Philipsburg*; the Elector of *Brandenburg* rout-
 ed the *Swedes* in *Pomerland*, entred into a League
 with the King of *Denmark*, who took *Wismar* from
 the *Swede*; and the Prince of *Orange* took *Binch*
 from the *French*, and rased it: But the Progress
 of all these Victories were stopt, by the unaccount-
 able Retreat of *Montecuculi* out of *Alsatia*, with his
 whole Army back over the *Rhine*; it was said by
 express Orders from *Vienna*, thereby leaving *Al-*
satia in the Power of the *French*, to the breaking of
 the Old Duke of *Lorain's* Heart; who at that Time,
 and never before, so fair a Prospect of the Reco-
 very of his Country.

If the Commotions in *Britany* and *Guien*, retard-
 ed the *French* opening the Campaign last Year,
 the King shall make amends this: For having pro-
 vided Stores for Horse and Man, in his Frontier
 Garisons, in *Feb.* 167^e, he block'd up *Valenciennes*
 and *Cambray*, and committed such Ravages, by
 Burning and Destroying those Parts of *Germany*
 which lay opposite to him, on the other side of the
Rhine, as if he made War not to Conquer, but De-
 stroy; though this were at a time, whilst they were
 in a Treaty of Peace with the Empire and King of
Spain.

Upon the Seventeenth of *March*, he notwithstanding
 the extreme Coldness of the Season, took *Va-*
lenciennes, and from thence marched to *Cambray*,
 and laid Siege to it and *St. Omers*; and after the
 opening of his Trenches, *Cambray* surrendered, but
 not

not the Cittadel ; the King looking on, as if he not been concerned in his Guarranty of the Treaty of *Aix* : Nor could the Prince of *Orange* prevent this, the *Spanish Garrisons* being ill provided, the Confederates being so slow in getting into the Field to oppose the *French* ; or if they had been got together, they could not have kept the Field for want of Provisions for Horse and Man.

However, though the Prince could not come in time enough to relieve *Cambray* and *Valenciennes*, yet with the single Forces of the *States*, the *Spaniard* notwithstanding much as supplying him with Guides, marched to the Relief of *St. Omers* ; but the Duke of *Luxembourg* joining with the Duke of *Orleans*, met the Prince at *Mount-Cassel*, where at first the Dispute was brave, but the first Regiment of the *Dutch Infantry* breaking and falling into Disorder, the Prince rallied them several times, and renewed the Charge but could not prevent their plain Flight ; yet made them to brave a Retreat, which wanted little of the Honour of a Victory ; so both the Cittadel of *Cambray* and *St. Omers*, upon the Twentieth of *April* fell into the *French Hands*, and thereby the main Strength of the Frontier to the *Dutch Netherlands* was lost : And by these Conquests, the *French* not only delivered his own Subjects from the Contribution they paid to these Cities, but enlarged his upon the Residue of the *Spanish Netherlands*.

Upon the Fifteenth of *February* 1677, the *Parliament* met again, and from the Variance between the Houses, about Appeals from *Chancery*, to the Lords, they fell at Variance in both Houses, whether this long Prorogation, were not a Dissolution : The Contest was highest in the House of Lords

the Duke of *Buckingham*, the Earls of *Salisbury* and *Shaftsbury*, and Lord *Wharton*, were committed close Prisoners to the *Tower*, for their Reasons judged; yet the Lords who Voted their Consent this Session, were as zealous last, to Petition the King to dissolve the Parliament, when the Commons contested their Jurisdiction in Appeals from *Chancery*: But though the Commons being in Love with their Sitting, resolved the Parliament not to be dissolved, yet they committed some of their Members for debating whether the Parliament were not; and granted the King an additional Duty upon Beer, Ale, and other Liquors, for Three Years; for now was the time to secure Religion and Property, said my Lord Chancellor. But whether the Parliament were dissolved or not, the Commons were mightily Alarum'd at the French progress in *Flanders*, and therefore upon the Twentieth of *May* resolved, That an Address be made to the King to enter into a League Offensive and Defensive, with the States General of the *United Provinces*; and make such other Alliances as he should think fit, against the Growth and Power of the *French King*, and for the Preservation of the *Dutch Netherlands*.

It seems the Ministers were as fearful of a War, as the Commons were of this Peace, wherein the *Dutch Netherlands* were in such Danger; and therefore the King in his Answer upon the Twentieth of *May*, told the Commons, *They had so entrenched upon so undoubted a Right of the Crown, that no Age it will appear (when the Sword was not drawn) the Prerogative of making War and Peace, had been so dangerously Invaded*; with a great deal more of such

Stuff, and therefore assures them that no Court on shall make him depart from, or lessen so essential a Part of the Monarchy. A Man I think may swear out of what Quiver this Arrow was shot.

As if any King were less a King for being advised, especially by those who can best assist him. To Advise and to Act, are different. The Commons did not in this Address, treat either of War or Peace, but only Advised or Counsell'd the King, excited to it by their own, as well as the King's Danger, by the Growth of the *French*: And the Princes have not such a Prerogative, as not to take Advice or Counsel, in less Actions than of War and Peace.

If you look upon the King's former Actions, in his Glorious Wars, and Honourable Peaces he has made, you had little reason to think it so dangerous to his Prerogative, to Advise him: For this part, I wonder the Commons should make any Address to him about them, since they could have had Security in any Answer he should make to the Address.

For was not the King a Guarranty in the Treaty of *Aix*, for the Preservation of the *Spanish Netherlands*, before the *Swede* entred into the Treaty of Alliance? And did not the King in the beginning of this War, declare he would observe the Treaty of *Aix*, which he might do, though the *Swede* was out of it? And was not the King by the last Treaty with the *Dutch*, obliged to withdraw his Soldiers out of the *French Service*; yet did not only continue them, but permitted, nay, pressed his Subjects to recruit and encrease them?

In the first *Dutch War*; (which was designed for the Overthrow of the Protestant Interest) then the Commons Advice was embraced, and thankfully entertained; but in this for the restraining the boundless Ambition of the *French King*, is an un-
der of Usurpation of the King's Prerogative:

However, by this the Commons might perceive that Thanks they had from this King for their restoration of him; and for the manifold Millions they had poured upon him, for the Maintenance of his Prodigality and Luxury; and how much he preferred the Enjoyment of his Minions and Flatterers, above his own Honour, the Safety and Welfare himself, the Nation or Christendom.

The King to shew his further Indignation to the Commons, and to take *French Councils* for Réparation of their dangerous Invasion of his Prerogative; advised to the Commons that they should adjourn on the Sixteenth of *July* following; which was so absolutely obeyed by the *Speaker*; then Mr. but now E. S. that without the Consent of the House, so much as putting the Question, he adjourned them to the Sixteenth of *July*; though Sir *John Finch* was impeached for the same thing, of High Treason in Parliament 1640: So that if the Parliament were not dissolved by the last long Prorogation, another Question may now arise, whether it was so by their Separation, without either Prorogation or Adjournment.

But in this time of War, it seems the *French King* was not at Leisure to give Council; therefore when the Parliament met on the Tenth of *July*, the Secretary *Coventry* signified, That it was his Majesty's Pleasure, they should be adjourned till the

Third of *December*, which Mr. *Speaker* did again by his own Authority, But before the Third of *December*, the King issued out his Proclamation, that he expected not the Members Attendance then, but that those about the Town, might adjourn themselves to the Fourth of *April* 1678, yet when the House met the third of *December*, Mr. *Secretary* Cowley delivered the House a Message from the King, that the House should be adjourned, but to the Fifteenth of *January* 1677, which Mr. *Seamour* this time did.

Thus did the Speaker make a threefold Invasion upon the Privilege of the House, for the House once presuming to invade his Majesty's Prerogative of making War and Peace.

In this Jumble of Adjournments, the Prince of *Orange* about the End of *September*, came into *England*, and from *Harwich* rode Post to *New-Market* where the Court then was, his Business was twofold, a Wife, and Treaty with the King, for the Preservation of the *Spanish Netherlands*, terribly shaken by this last *French Campaign*.

Sir *William Temple* was sent into *Holland* by the King in *July* 1674, to mediate a Peace between the *French King* and *States*, and after that to offer the King's Mediation for a general one, between the *Confederates* and *French King*: The *Spaniards* were fearful of this, and the Prince jealous of it, so that the Governour of the *Spanish Netherlands* refused Sir *William* a Guard to go to the Prince, and the Prince declined Sir *William's* coming to him; so as Sir *William* was forced to return to *Holland*, and wait for the Prince there, till the Campaign was over.

After the Prince returned to the *Hague*, Sir *William* acquainted him with the Powers the King had sent him, and that the King desired to act in concert with the Prince, and therefore desired, so soon as might be, to understand the Prince's Opinion therein.

The Prince's Opinion was, That the *States*, with Faith could not make a separate Peace, and thereby expose the *Confederates*, who had saved the *Netherlands*, to the Mercy of the *French King*; nor could a general Peace be made unless *Flanders* was left in a condition to defend it self. That it was in the King's Power to induce *France* to what was just, and that the Prince must perform what his own Honour, as well as the *States* was engaged to for their Allies, let cost what it would: This Answer was coldly received by the King, so as he made no Reply to it.

My Lord *Arlington* possessed the King, That it was *William's* ill Management that the Prince was not agreeable to the King's Desires, but if the King would employ him in the Affair, by the Benefit of his private Relations, the Prince might be better disposed: So in *November* following, the King sent my Lord *Arlington* upon this Affair to the Prince, and my Lord *Offery* (who had married Madam *Berwick* the Countess of *Arlington's* Sister)

My Lord *Arlington* treated the Prince with that Authority, Arrogance and Insolence, and so artfully, that the Prince, who was of a plain and free disposition, could not bear it, but laid the King next intended he should treat him (the Prince) after that manner: Sir *William* and my Lord too had Instructions to sift the Prince to a Discovery of Applications made to him, by discontented Persons in *England*.

gland, and to enter into secret Measures with the Prince, to assist the King against Rebels at home, and to sweeten all, my Lord *Ossery* gave the Prince Hopes of a Match, with the Princess *Mary*, Duke's eldest Daughter: But the Prince would not treat of a separate Peace, was obstinate against the second, said that the third was a Disrespect to the King, to think he should be so ill beloved; and that his Fortunes were not in a Condition for him to be the Father of a Wife; so that my Lord *Arlington* every way failed of his Expectation, lost much of the King's Favour, and utterly dissolved the Friendship and Confidence, he believed he had in the Prince.

On the Contrary, though my Lord *Ossery* was above any other, more bravely fought against the Prince's Interest by Sea, in this last War with the *Dutch*, yet the Sympathy of their noble Nation begot a Friendship which no Power less than Death could dissolve; and my Lord became Partaker with the Prince in that glorious Attempt, against the Duke of *Luxemburg*, upon the Relief of *Monsieur*, the Success of which was stop'd by the unhappy separate Peace the *States* made with *France*, and the Proposition which my Lord made of the Match between the Prince and Princess, made such an irresistible Impression in the Prince's Mind, that it would admit of no other Relief but Enjoyment.

Though the Prince could not suppress, yet he concealed his Desires of matching with the Princess *Mary*, till a little before the opening the Campaign 1676, when he disclosed them to Sir *William Temple*, but before he made any Paces towards the attainment of his Desires, he desired Sir *William's* Opinion of the Person, and Disposition of the Princess.

Sir *William*, who was glad to find the Prince's Resolution to marry, being a Debt due to his Family, and the rather because he was the only one of the Masculine Line of it: Replied, That he knew nothing of his own Knowledge of the Disposition of the Princess, but had always heard his Wife and Sister speak with all the Advantage that could be of what they could discern in a Princess so young, and more by what had been told them by her Governess. Hereupon the Prince resolved to write to the King and Duke, and beg their Favours to him in it, and that my Lady *Temple* being to go over into *England*, upon Sir *William's* private Affairs, should deliver Letters to both, and desired that my Lady, during her Stay in *England*, would endeavour most particularly to inform her self of all that concerned the Person, Humour, and Disposition of the young Princess. About two or three Days after the Prince brought his Letter to my Lady *Temple*; he went to the Army, my Lady *Temple* into *England*, and about the Beginning of July, Sir *William* to *Nimeguen*, to assist with Sir *Lionel Jenkins* as Mediators for a general Peace. The States were desirous of Peace, yet durst not break from their Confederacy, not trusting *England* enough, nor *France* at all, so as to have Dependency upon either after the Peace made: The French knew the States were bent upon Peace, but the Prince against any, but what was consisting with his Honour, and the Preservation of the *Spanish Netherlands*, so as to be a secure Barrier to the States against the Power of *France*. The French Designs, under the Covert of the general Peace to be treated at *Nimeguen*, was to break the Confederacy, and therefore their Ambassadors, the Marshal D' *Estrades*,

and Monsieur Colbert, accosted Sir William, and told him they had express and private Orders from their King, to make particular Complements to him, upon the Esteem their King had for his Person. They told him they knew that the States were bent for Peace, which could not be had unless the Prince of Orange would interpose his Authority, which was so great with the Allies, that they were sure the Allies would consent to whatever Terms the Prince should propose for a Peace, and therefore there was no way to procure an happy Issue, but for the Prince privately to agree with *France* upon the Conditions, which the Prince might make use of the known Temper of the States, to bring it to a separate Peace, in case the unreasonable Pretences of the Allies should hinder a general one. That the Duke of Bavaria had so acted his Part with *France* at the Treaty of *Munster*, whereby he owed the Greatness of his House. That by pursuing the same at *Nimeguen*, it would be in the Prince of Orange to do the same for himself and his Family, and that for what concerned the Prince's personal Interests, their Master had given them Assurance, he should have a *Carte Blanche* to Write his own Conditions, that though they had other Ways of making these Overtures to the Prince, yet their Orders were to do it by none but Sir William, if he would charge himself with it. That they knew the Confidence the Prince had in him, and how far his Opinion would prevail with the Prince: And that if Sir William would espouse this Affair, besides the Glory of having alone given Peace to *Christendom*, he might reckon upon what he pleased from the Bounty and Generosity of the King of Orange and his Master.

Sir *William* in a well composed Answer, acknowledged his Obligations for their King's good Opinion of him; but that his Instructions were for a general, not for a Private Peace: For the Prince of *Orange*, he assured them it was his Opinion, That the Prince had none for his, or any Man else, further than their Arguments prevailed upon his Judgment.

The Attacks upon Sir *William* not succeeding, Monsieur d' *Estrades* turned his Battery upon Pensioner *Fagell*, to the same Purpose the Ambassadors had done to Sir *William* of all the Advantages, to the Interest of the Prince. How these brought upon the Pensioner, Sir *William* does not say, but says all the Offers of Advantage made to the Interest of the Prince, met with no other Reception than what the Prince had foretold, though at this time the Prince struggled under great Difficulty, by reason of the *French* great Treasure, and great Order of disposing it: The *French* Magazines were always filled in the Winter, so as it enabled them to take the Field as they pleased in the Spring, without fearing the Weather for their Foot, or expecting Grass for their Horse. On the other side, the *Spaniards* want of Money and Order, left their Troops in *Flanders*, neither capable to act by themselves, nor in Conjunction with others, upon any sudden Attempt, nor to supply with Provisions, either *Dutch* or *Germans*, that should come to their Relief: And their Towns were ill fortified, and worse defended; so that the *French* King in *April*, took *Conde* in Four Days, and in *May*, the Duke of *Orleans* took *Bouchain*, and the Prince of *Orange* besieged *Mastricht*, without Success.

But

But neither the good Success of the *French* Campaign, nor the ill Success the *French Ambassadors* had upon the Prince of *Orange*, to induce him to a separate Peace, retarded the *French* from pursuing of it; for the *French* by their Emissaries in *Holland*, but especially at *Amsterdam*, offer for a Reglement of Trade as the People could desire the Restitution of *Mastricht*, and all Satisfaction to the Prince of *Orange*, he could pretend to upon his Loss, or their Seisures in the War: This put the Mob into a Ferment of having a separate Peace, nor could any thing have allayed it, but the Noble Constancy of the Prince of *Orange*, which stood unshaken, of opposing it, in all these Difficulties.

However, this Campaign the Elector of *Brandenburg* in several Encounters beat the *Swede*, and was in an hopeful State to have expelled them out of *Germany*; and it had been just they had been so. For the King of *England* and the King of *Sweden* were Guarrantees in the Triple League at *Aix la Chapelle*, for the Preservation of the *Spanish Netherlands*, against the *French King*; whereas the King of *England* stood still, only looking on, whilst the *French Arms*, by Piece-meals devoured them; and the King of *Sweden* in Conjunction with the *French King*, assisting him in the War. Put not your Trust therefore in such Princes.

The Prince of *Orange*, however his Constancy in opposing a separate Peace was unshaken, yet in the distracted State of the Confederates, and the violent Humour of the Peoples running into it, saw it was impossible to keep them out of it, unless the King of *England* would interpose his Authority further, than by being a bare Mediator.

acquainted the King with it ; but the King in a long Letter under his own Hand, instead of an answer, complained, That the Confederate Ministers in *England*, caballed with Parliament-Men, had raised all Mens Spirits against Peace as high as they could, so that it was difficult for him to make any Steps with *France* towards a General Peace, unless the *Dutch Ambassador Van Benningham*, would present in a Memorial pressing the King from the States to do it, and declaring that without it, all *Flamanders* would be lost:

The Prince to comply with the King, replied how willing he was that *Van Benningham* should present in such a Memorial from the States ; and that if the King pleased to have a sudden Peace, the Prince thought it must be done upon the Foot of the Treaty of *Aix la Chapelle*, which he would have the more Ground for, because it was a Peace which he both made and warranted.

Sir *William* at this time was at the *Hague*, when his Colleague Sir *Lionell Jenkins* wrote to him, that there was a Negotiation of a separate Peace treating between the *French Ambassadors* and *Bevering*, (the *Dutch Agent*) at *Nimeguen*, without any Communication of it to the Mediators, upon which Sir *Lionel* acquainted the Court of *England* with it ; whereupon Orders was dispatched, that in case a separate Peace was concluding or concluded, the Mediators should publickly protest against it in his Majesty's Name.

This Sir *William Temple* wrote to my Lord Treasurer and Secretary *Coventry*, that he could not understand the Reason of such a Protestation, For if a separate Peace were thought so dangerous at Court,

as he knew it was in the Country, the King might endeavour to prevent it, and had it still in his Power, as he had a great while: But if it were once concluded, any other Effect of such a Protestation, unless it were to irritate both Parties, and bind them the faster, by our being angry at their Conjunction, could not be expected: Nor did he know what Ground could be given for such a Protestation; for though the Parties had accepted the King's Mediation for a General Peace, yet none of them had obliged themselves to the King not to treat of a separate one without his Mediation; or if they had, he did not see why the same Interests that could make them break through so many Obligations to their Allies should not make them as bold with a Mediator. That as to prevent, the thing may be a very Wise and Necessary Counsel, so the King's Resolution in it, ought to be signified as early as can be, where it is like to be of that Moment to *France*: But if the things should be first done, as he could not tell how well to ground any Offence, so he could as little how to seek Revenge, and it would be to stay till we were struck, and then trust to crying out: That his Opinion was, it were better to anger one of the Parties before a separate Peace, than both of them after, and if we must strain any Points of Controversie with them, to do it rather by making a fair and general Peace, than by complaining and protesting against a separate one: But our Councils at Court he says, were so in Balance between the Desires of living at least fair with *France*, and the Fears of too much displeasing the Parliament upon their frequent Sessions, that our Paces, upon the whole Affair, look'd all like cross Purposes, which no Man

home or abroad could well understand, and were
mistaken by both Parties engaged in the War,
as well as by both Parties in the House of Commons,
the thing was wrested out of our Hands.

Upon the Fifth of *January 1676*, Sir *William* re-
ceived Answer from the King to his last *Dispatches*
by the Prince's Direction which consisted of two
parts, the first an Offer of the King's Entrance into
the strongest Alliance with the *States*, thereby to se-
cure them from all Apprehensions from *France* after
the Peace should be made; the second was the King's
Remarks, rather than Conclusions or Judgments up-
on the Terms propounded by the Prince for a Peace;
That he (the King) believed it might be compassed
with *France* upon the Exchange of *Cambray*, *Ayre*,
and *St. Omer*; for *Aeth*, *Charleroy*, *Oudenard*, *Conde*,
and *Bouchem*.

This Answer was so different from what the
Prince proposed, so illusive, and of so little Secu-
rity to the *Dutch*, that the Prince told Sir *William*,
he would rather die than make such a Peace; and
complained that the Offer of Alliance was wrote to
him by the King's own Hand; but this about the
Terms of Peace, from the Secretary's Hand, which
was in a Stile as if he thought the Prince a Child,
and to be fed with *whip'd Cream*: That since all
this had been before the foreign Committee, he
knew very well it had been with the *French Ambassa-*
dor too, and that the Terms were his, and were a
great deal worse, than if they had directly come from
France.

But the *French King's* wheadling our *King* and the
Dutch about a separate Peace, no ways abated the
Vigour of his Prosecution of the War, whilst Peace
was

was mediating : For, in the Beginning of the Year he takes the Field with an huge Army, and block up *Cambray* and *Valenciennes*, about the End of January, and having provided sufficient Magazines for Subsistence of his Forces, which neither the *Spaniards* nor *Germans* had, broke into *Flanders*, and into the Parts of *Germany*, on the other side of the *Rhine*, and with the most cruel Ravages of burning and spoiling those Parts of *Germany* that could be exercised, and such as had not been used on either side since the War began. The Allies made Complaint of this new manner of making War to his Majesty (as Guarrantee to the Treaty at *Aix la Chapelle*) who employed his Offices towards *France*, to hinder such Proceedings, but the thing was done, and the Point gained, which was by an entire Ruine of those Countrys, from hindring the *Imperialists* from finding any Subsistence for their Troops, if they should march into *Alsacia*, and thereby divert those Forces the *French* resolved to employ in *Flanders*, before the *Dutch* could take the Field and march to the Relief of those Places they intended to attack.

Before any *Dutch*, *Spanish*, or *German* Army could be brought into the Field, the *French* took *Valenciennes*; and laid Siege to *St. Omer* and *Cambray*. But before they had taken *St. Omer*, the Prince of *Orange*, with the Forces of the *States*, the *Spaniards* assisting him with no Forces, nor so much as Guides, resolved to relieve it, though with the Hazzard of a Battel, but the Duke of *Orleanse* leaving a Part of his Forces to defend the Trenches, and joyning with the Duke of *Luxemburg*, with all the Troops the *French King* could send, met the Prince at *Mont-Cassel*, where, after a sharp dispute, the first Regiment

of the *Dutch Infantry* began to break into Disorder. The Prince went immediately to that Place where the Shock began, rallied them several times, and renewed the Charge; but at last was born down by the plain Flight of his Men, whom he was forc'd to resist as Enemies, and fall in among them with Sword in Hand, and cut the first over the face, and cried out aloud, *Rascal, I'll set a Mark on thee at least, that I may hang thee at last*: But neither Voice, Action, Threats, nor Example, would give Courage to Men that had already lost it; so he was forced to recoil to those Troops which stood firm, and made so brave a Retreat, as was near equal to a Victory. So as *Flanders* had only *Mons* and *Namur* for a Frontier by Land, and *Newport* and *Ostend* by Sea: However the Prince made an Attempt upon *Charleroy*, which did not succeed.

Hereupon the Prince seeing all Attempts against the *French* would be in vain, unless the King came in to assist the Confederacy of the Allies, sent Monsieur *Bentinck* into *England*, to desire the King's Leave to make a Journey into *England*, so soon as the Campaign was over, to which he received this cold Answer: *That the Prince would first think of making the Peace, and rather defer his Journey till that were concluded*. Could any Man now believe any other Prince should be so supine as not to apprehend the imminent Danger his Nephew stood in, and in consequence his own Dominions; and though all the World but he, saw and dreaded this, yet the King, as at the End of the first *Dutch War*, would not: This was about the Beginning of *June*; and about the Middle of it, Sir *William Temple's* Son brought him Letters from my Lord Treasurer, That he should
come

come over and enter upon the Secretary's Place which Secretary *Coventry* had offered to lay down upon the Payment of 10000 *l.* and that the King would pay half the Money, and the Treasurer might lay down the rest at present; but did not doubt but the King would find a Way of easing him of that too.

What could be expected in such a Reign, where Secretaries of State, who are the Eyes of the King and Kingdom, to take care of all foreign and domestick Affairs, which cannot be carried on without Charges, should purchase their Place, and thereby not only disable them in the Performance of their Office, but utterly to neglect it, and make it their Business how they may be Gainers by their Purchase they had so dearly bought; but Sir *William* excused it, as not being able to raise 5000 *l.* now his Father was alive: And though Secretary *Coventry* came cheap enough by the Place, it seems he was either unwilling Sir *William* should succeed him in it; or that he would not trust to the 5000 *l.* to be paid by the King, unless he might chuse his Successor, who it may be, would have given him Fifteen Thousand Pounds for it.

After Sir *William* came over, and the Bargain for the Secretary's Place not succeeding, the King had often Conferences with him about the Peace, and the Princes coming into *England*, he had a great Desire for the first, but not for the other, till the first were done: He said his Parliament would never be quiet with him while the War lasted, and then leave him in it, unless they might have their Terms in removing and filling Places, which he should be very loath to be so much at their Mercy;

tary; and that the longer the War continued,
 the worse it would be for the Confederates, and
 worse for *Flanders*, and therefore would have the
 Prince make a Peace for them, if they would not do
 themselves; and that if the Prince and he would
 fall into Terms of it, he was sure it might be done;
 and desired Sir *William* to make a short Turn to the
 Prince, and try if he could perswade the Prince to
 it: But Sir *William* excused it, and desired Mr. *Hide*
 now Earl of *Rocheſter*, who was then at *Nimwegen*)
 might do it; but I do not find any thing came of it.
 About the latter end of *September*, as before noted,
 the Prince took his Journey for *England*, and Landed
 at *Harwich*, and from thence came to *New-Market*,
 where the Court then was; where he was kindly
 received by the King and Duke, who both invited
 him often into Discourse of Business, which the
 Prince avoided industriously, so as the King bid
 Sir *William* ask the Prince the Reason of it; the
 Prince told him he was resolved to see the Young
 Princess before he entred into that Affair, and get
 to proceed in that, before the offer of Peace;
 whereupon the King to humour him, left *New-*
Market some Days sooner than he intended, and
 came to *London*.

The Prince at first sight was so pleased with her
 person, and all those Signs of such an Humour as
 had been before described to him, that he immedi-
 ately made his Suit to the King and Duke, which
 was well received and assented to, but upon Con-
 sideration that the Terms of Peace abroad might be
 not agreed to between them: The Prince excused
 himself and said, he must end his first Business be-
 fore the other. The King and Duke were both

positive otherwise, that that of Peace should precede; but the Prince continued Resolute for the former, and said his Allies were like to have hard Terms of Peace as things stood, and would be apt to believe he had made this Match at their Cost, and for his Part, he would never sell his Honour for a Wife: But the King and Duke continued in the Resolution for Three or Four Days.

In the Obstinacy of these contrary Resolutions between the King, Duke and Prince, Sir *William Temple* chanced to go to the Prince one Evening after Supper, and found him in the worst Humour he had ever seen him in; and told Sir *William* he repented he ever came into *England*, and resolved he would stay but Two Days longer, if the King continued in his Mind of treating upon the Peace before Marriage; and that before he went, the King must chuse how they must live hereafter; for he was sure it must be like either the greatest Friends or the greatest Enemies; and desired Sir *William* to let the King know so next Morning, and give him an Account what he should say upon it.

Next Morning Sir *William* told the King all the Prince had said to him, and the ill Consequences of a Breach between them, considering the ill Humour of so many of his Subjects upon our late Measures with *France*, and the Invitations made to the Prince by several of them, during the late War. The King heard Sir *William* with great Attention; and when he had done, said, well, I was never deceived in judging a Man's Honesty by his Looks, and if I am not deceived in the Prince's Face, he is the honestest Man in the World; and I will trust him, and he shall have his Wife, and you shall go immediately

ately and tell my Brother so, and that 'tis a thing
am resolved on.

Sir William did so, and the Duke at first seemed
little surprized; but when Sir William had done,
the Duke said, The King shall be obeyed, and I
could be glad all his Subjects would learn of me to
obey him (the King.)

From the Duke Sir William went to the Prince,
and told him all this Story : At first the Prince seem-
ed diffident, but soon embraced Sir William, and
told him, he had made him a very happy Man,
and that unexpectedly ; and so he left the Prince
to give the King an Account of what passed, and
the Prince's Anti-Chamber, met my Lord Trea-
surer, who undertook to adjust all the rest between
the King and Prince, which he did so well, that
the Match was declared that Evening at the Com-
mune, before any other in the Court knew any-
thing of it.

When the Match was known, the Nation enter-
tained it with an Universal Joy ; yet the *French Am-
bassador* and my Lord *Arlington*, were displeased
with it; the *French Ambassador*, because he had not
given his Master an Account of it, and my Lord
Arlington, because nothing of near such Moment
had passed, and he not acquainted with it; and
within Two or Three Days after, the Marriage
was consummate.

The Prince having so happily gained the first
point of his Design in coming into *England*, the
Terms of Peace were agitated immediately, and
William Temple was admitted to be present at
the Debates. The Prince insisted upon the Strength
and Enlargement of a Frontier on both sides of
Flanders,

Flanders, otherwise he said, *France* would end the War with the View of beginning another, and carrying *Flanders* in one Campaign.

The King was content to leave that Business a little looser, upon Confidence that *France* was so weary of the War, that if they could get out of it with Honour, they would never begin another in the Reign: That the King was past his Youth, and Lazy, and would turn to the Pleasures of the Court and Buildings, and leave his Neighbours at quiet.

But the Prince thought *France* would not make Peace now, but to break the present Confederacy and to begin another War with more Advantage and Surprize: That their Ambition would never end till they had all *Flanders* and *Germany* to the *Rhine*, and thereby *Holland* in an absolute Dependence upon them, and us in no good one. And the Christendom could not be left safe by the Peace without a Frontier as he proposed for *Flanders*, and the Restitution of *Lorraine*, as well as what the Emperor had lost in *Alsacia*.

Sir *William Temple* told the King that in the Course of his Life, he had never observed Men's Natures alter by Age or Fortune, but that a good Boy made a good Man; a Young Coxcomb an Old Fool; and a Young Fripon an Old Knave: That quiet Spirits were so, and unquiet would be so, as well as Young. That he believed the *French King* would have always some Bent or other, sometimes War, sometimes Love, sometimes Building; but was of the Prince's Opinion, That he would never make Peace but with a Design of a New War, and he had fixed his Conquests by the last.

The King approved of what Sir *William* had said and the Points of *Lorraine* and *Alsacia* were easily agreed to by the King and Duke, but they would not hear of the Restitution of the County of *Burgundy* (though it were Part of the *Spanish Netherlands*, which the King was obliged to protect against *France* by the Treaty of *Aix*) as what *France* would never be brought to; yet the Prince insisted much upon it; which the King imagined was by reason of the Prince's own Lands in that County, (which are greater and more *Seignurial*, than those of the Crown of *Spain* there) and thereupon the King told the Prince, That for his Lands there, he (the King) would charge himself, that the Prince should enjoy them as safe under *France*, as under *Spain*; or if the Prince would part with them, the King would undertake to get him what Price he would value them at. To which the Prince generously replied, That he would not trouble himself nor the Peace about that Matter; and that he would be content to lose all his Lands there, to get one good Town more for the *Spaniard*, upon the Frontier of *Flanders*: So here the King and Prince agreed.

But then another Debate arose between the King and Prince, one pretending *France* would never be brought to this Scheme; the other that *Spain* would never be brought to it: But at last it was agreed that the Peace should be made upon these Terms. All to be restored by *France* to the Emperor and Empire, that had been taken in the War; and the Dutchy of *Lorraine* to the Duke, and all on both sides between *France* and *Holland*: And to *Spain*, the Towns of *Aeth*, *Charleroy*, *Oudenard*, *Courtray*, *Tournay*, *Conde*, *Valenciennes*, *St. Gillain* and *Binch*,

which were Nine Towns. That the King shall endeavour to procure the Consent of *France*, and the Prince, of *Spain* : And to this purpose the King should send some Person immediately over with the Proposition, who should be instructed to enter into Reasoning upon it, but demand a positive Answer in Two Days, and after that Term, immediately return : And then the King ordered Sir *William* within Two Days to make himself ready, to go and acquaint the *French* with it.

At this Agreement between the King and Prince, none were present besides the Duke, my Lord Treasurer and Sir *William Temple*, so as the *French Ambassador* was as much surprized in it, as before he was at the Marriage of the Prince ; but this could not be longer concealed from him, than when it began to be put in Practice ; yet it seems to me he was acquainted with it before, and that the King had taken other Resolutions than what was agreed upon but the Day before.

For Sir *William* having prepared all things in a Readiness to go, the Evening before, he met the King in the Park, (*St. James's*) who called to him, and told him he had been thinking upon Sir *William's* Errand, and how unwelcome he should be in *France*, as well as the Message ; and that having a Mind to gain Peace, he was unwilling to anger them more than needs : Besides, the thing not being to be debated or reasoned, any Body else would serve the Turn as well as he, whom he had no other Use of ; Sir *William* was very glad of it, knowing how ungrateful a Messenger he should be upon this Account ; then the King asked Sir *William* what he thought of my Lord *Duras*, (a *French Man*, and

a great Favourite of the Duke's, and since Earl of
(*Overham.*)

It seems the King asked Sir *William's* Opinion,
only for Form and Fashion sake, for the thing was
the Morning before agreed upon, at the Desire of
the Duke, upon Pretence that *France* would accept
of the Terms, and that he had a Mind to have the
Honour of it, by sending a Servant of his own; so
my Lord *Duras* went immediately after with the
Orders, and some few Days after the Prince and
Princess embarked for *Holland*, where Affairs pres-
ented his Return, beyond the Hopes of my Lord *Du-*
ras, from *France*; the King assuring the Prince he
would never part with the least Part of the Scheme
sent over, and would enter into a War with *France*,
if they refused it. But *Pudet Hac*, you'll soon see
another Face of Affairs after the Prince was gone;
say, before he went it was a great Mortification to
him, to see the Parliament prorogued till next
Spring; which the *French Ambassadour* had gained
of the King, to make up some good Meen with
France, after the Prince's Marriage, and before the
Dispatch of the Terms of a Peace to that Court:
I should not have ventured to say this, if that Ho-
nourable Gentleman Sir *William Temple*, in his Se-
cond *Memoirs*, which are Printed f. 302, had not
said it before.

But how Honourable and Sincere soever the Prin-
ce's Actions were in the Management of this whole
Affair, the outward Face of things had another Ap-
pearance, which caused great Jealousies of him, not
only among the *Amsterdammers*, and Common Peo-
ple in *Holland*, but even among the Confederates;
for the Prince sending Monsieur *Bentinck* privately

over into *England* about the beginning of *June* and Sir *William Temple* so soon after following : And the Prince's raising the Siege before *Charleroy*, the next Day after my Lord *Offery* came to his Camp and the Prince going in *September* following into *England*, these things thus concurring, passed not without many Reflections not only in *Holland*, but among the Allies, as if there were Intelligences between the King and him ; which were heightened by the Marriage : The main Business of the Treaty made by the King and Prince, about the Peace being yet in *Embrio* ; so as the Prince and Princess were coldly received in *Holland* upon the Prince's Return ; and these Jealousies encreased more upon the Transactions between the *English Court*, and *France* : But Sacred Truth, and the Integrity of the Prince, shall vindicate his Honour, even among those who most suspected him, and were so jealous of his Actions.

The Noise of a Peace with *France* so soon after the Proroguing the Parliament, raised a Ferment in the Nation of some Design of the Court as dangerous to the Nation, as the *Dutch Jealousies* of the Danger their Liberties were in by the Prince's Treaty and Marriage with a Daughter of *England* : And now the Prince was gone and out of Sight, he was out of Mind too by the King, in respect to the Terms of Peace agreed to, and the Solemn Promise the King made to the Prince upon his Departure, that he would never part from the least Point in the Scheme sent into *France*, and make War upon it, if it were refused.

For upon my Lord *Duras* his Arrival at *Paris*, the Court were surprized, at least seemed so, both of the

and more upon the Manner of it, yet made Meen upon it, took it gently, and said, The King (of England) knew very well he might be always Master of the Peace; but some few Towns in Flanders were very hard, especially Tournay, upon whose Fortifications such vast Treasure had been expended, and they would take some short time to consider of the Offer. But my Lord Duras told them he was tied to ten Days Stay; but when that was out, was prevailed upon to stay some few Days longer (which he might not have done without secret Orders from our Court, contrary to his Instructions) and at last came away without any positive Answer. Hereupon the King, instead of declaring War against France, as he so solemnly promised the Prince; entered into a Treaty with the French Ambassador at London, which by French Artifice was so spun out in Length without any positive Refusal, that the Blow came to be avoided, which could not otherways be avoided, as Sir William Temple says, though I believe it was intended even when the Prince went out of England.

However, about the latter End of December 1677, the King sent to Sir William Temple to the foreign Committee, and told him he could get no positive Answer from France, and therefore resolved to send him into Holland, to make a League there with the States for forcing France and Spain into a Peace upon the Terms proposed, if either refused. To which Sir William told the King, what he had agreed was, to enter into a War with all the Confederates, in case of no direct and immediate Answer from France. That this perhaps would satisfy the Prince and Confederates abroad, and the People at home: But to make such a League with Holland

Holland only, would satisfie none of them, and disoblige both France and Spain. Besides, it would not have such an Effect or Force as the Triple Alliance had, being great Original, of which this seemed an ill Copy: And so the King sent Mr. Thyn with a Draught of the Treaty to Mr. Hyde, who was then come from Nimeguen the Hague; upon a Visit to the Princess, which was done, and the Treaty signed the Sixteenth of January (though not without great Dissatisfaction to the Prince.)

This Tergiversation of the Court, set fire to the Jealousies in Holland, especially at Amsterdam. That the Prince by this Marriage had taken Measures with the King, as dangerous to the Liberty of Holland, and make it there believed, That by this Match the King and Duke had wholly drawn the Prince into their Interests and Sentiments: The French hereupon proposed other Terms of Peace to the Dutch, far short of the King's, and less safe for Flanders, restoring only Six Towns to the Spaniards and mentioning Lorrain but ambiguously, which would not have gone down in Holland, but for the Suspicions raised by the Prince's Marriage, amongst the People there, who had an incurable Jealousie of the Court, and thereupon not that Confidence in the Prince that he deserved.

If we take this Reign as one thing, you'll find it made up of almost infinite Confusions and Disorders, and scarce one regular Act in it; and now we are come to one which is without any President which was this; you heard before how the King, to gratifie the French Ambassador for not acquainting him with the Marriage with the Prince, had pro-

ed the Parliament to the Eighth of *April* next, 1678: And now Mr. *Thym* had made this *Engage* with the *States*, the King thought this a good *Occasion* to get Money from the Parliament upon it, and was loath to stay till the Eighth of *April* for it; and therefore, by his Proclamation, commands the Parliament to meet upon the Fifteenth of *January*, before the Eighth of *April*.

Prorogations of Parliaments are new, and I think, were never heard of in *England* before the reign of *Henry VIII.* and are said to be the Acts of the King, but Adjournments the Acts of the House, at a certain Time and Place, and both Houses must be sitting and in Being when they are either so prorogued or adjourned: I remember upon the Murder of Sir *Edmundbury Godfrey*, the Court were mightily surprized at it, and the Parliament was to have met some few Days after, upon a Prorogation, which the King in that Surprize was unwilling they should, and therefore called a Council to advise whether he might not prorogue them to a further Day without the Houses meeting, and 'twas said my Lord Chancellor *Finch* was of Opinion he might; and thereupon Sir *Edward Seamour*, Speaker of the House of Commons, having Occasions in the Country, went out of Town; but some body acquainted the King of the Doubtfulness of the Chancellour's opinion, and desired the King to advise with old *John Brown*, who had been Clerk of the Parliament for near Forty Years; the King did so, and *John Brown* was positive that in case the Houses did not meet at the Time and Place appointed, the King, by his Proclamation, could not prorogue them, but it would be a Dissolution of the Parliament;

ment; whereupon the Speaker was sent for again, and so many of both the Houses met, would make a Parliament (which it's said is For Commoners and Seven Lords) and then the King prorogued them. But this Consideration was (that I find) taken notice of by either House though both met according to the King's Proclamation.

The Houses thus met, the King acquainted them with the League he had made with *Holland*, and demanded Money of them to carry on the War against *France*, in case *France* did not comply with the League; whereupon the Parliament granted him Tax by Pole and otherways, which amounted 1200000 *l.* not for Peace, but to enter into an actual War with *France*: But this Tax shall only be other, to disband an Army raised upon that Pretence, though no War were entered into against *France*.

But so far was the *French King* from giving up any Towns, notwithstanding the Agreement the King had made with the Prince, or the League he had made with *Holland*, that about the latter End of *January* he had made an Attempt upon *Ipre*, and threatned *Ostend*; and in *March* following, by open Force, takes both *Ipre* and *Gaunt*, yet the *French Ambassador* here continued his Court and Treaty with all the Fairness that might be.

The *French* having now taken *Ipre* and *Gaunt* were so far from proceeding in any Treaty, either with *England*, the *Confederates*, or *Holland*, or the Treaty at *Nimeguen*, that about the First of *April* the *French King* made publick Declaration of the Terms upon which he was resolved to make Peace, which, though very different from those agreed upon between

between the King and *Holland*, and more from the
 pretensions of the Allies, yet this Way of treating
 the *French* pursued in the whole Negotiation after-
 wards, declaring such and such were the Conditions,
 which they would admit, and no other, and upon which
 the Enemies might chuse either War or Peace, and to
 which *France* would not be tied longer than the tenth
 of May, after which they would be at Liberty to
 change or restrain as they should think fit.

But how imperious soever the *French* were abroad,
 they dreaded a Conjunction of *England*, either
 with the *Dutch* or *Confederates*, and therefore
 thought fit to wheedle our Court till the Affairs of
 the *Confederates* should become so desperate as to
 submit to what Terms the *French King* should im-
 pose upon them: And to this Purpose Mr. *Mounta-*
glen (now Earl) sent a Pacquet to my Lord Treas-
 urer, giving him an Account of a large Conference
 Monsieur *Louvois* (the *French King's* grand Minister
 of State) had with him by the King his Master's Or-
 der, wherein he represented the Measures they had
 already taken for a Peace in *Holland* upon the *French*
 Terms; and that since they were agreed there, they
 hoped his Majesty would not be against it: That
 however, *France* had ordered him to make his Ma-
 jesty the Offer of a great Sum of Money for his Con-
 sent, though the thing was already accepted by *Hol-*
land, and wherein his Majesty was consequently not
 concerned.

The *French Ambassador* at *London* (confident this
 bait would take the King) began to change his Lan-
 guage, That his Majesty should be Arbiter of the Peace:
 But now being assured his Master had agreed with
Holland, he seemed to wonder and expostulate why
 the

the King should pretend to obtain better Terms the *Spaniards* than the *Dutch* their *Allies* were content with.

You have heard the Agreement between the King and Prince before he went into *Holland*, as well the Behalf of the Empire, and Duke of *Lorraine*, of the *Spaniards*; and how it was not observed by the King, and of the Time when the Prince arrived in *Holland*, and of the unjust Jealousies by which the Prince was treated, as well by the *Confederates* as by the *Dutch*; and of the separate League the King made with the *States*, for enforcing the French to come up to the Agreement between the King and Prince of *Orange*, and how the King had got two hundred thousand Pounds of the Parliament for entering into an actual War with *France*; and how the French King, in Defiance of the King and *States*, instead of giving up any Towns, had taken *Ipre* and *Gawnt*, as well contrary to this Agreement and League as to the Treaty of *Aix*: Now let's see how the King proceeded; after the *Dutch*, contrary to the League with the King, had accepted the French Terms.

Having got the Money of the Parliament for making the League with the *Dutch* upon the Terms agreed upon by the Prince; he now saw no Reason why he should not get the Money the *French* offered him if he would agree to the Terms he had made with the *Dutch*, and to that purpose ordered Sir *William Temple* to treat upon it with the *French* Ambassador, who had Orders to that purpose: Sir *William* would have excused it, but the King told him he could not help seeing him, for the Ambassador would be at his House next Morning by Seven o'Clock.

and then he came, but Sir William told him he had been very ill in the Night, and could not enter into Business: So the Ambassador was disappointed of his Design at that Time: However, the Bargain went on, not only for the Money, but something else, so that Sir William Temple says, P. 321. there was one Article in this private Treaty, the King took such Indignation at, that he would never forget it whilst he lived.

There was but one Accident favourable to the Confederates in all these Treaties: viz. The French, apprehensive of a Conjunction between the English and Dutch, who at this Time were much more powerful at Sea than France; they might block up Messina by Sea, while the Spaniard besieged it by Land, and so might loose all the Cannon, Provisions and Stores which the French had in it, to prevent which they abandoned it while it was in their Power to seize their Effects there, and left the Messinians and their Confederates, to the Mercy of the Spaniards.

Beverning was the Agent which managed this Treaty upon the French Terms; and Beverning was sent to the French Camp, where the Terms of Peace were concluded about the latter End of June, and a Truce of Arms for Six Weeks, that the Spaniards might come into the Peace upon the Terms proposed: But if they should not, his most Christian Majesty assured the States that he would always provide such a Barrier in Flanders, as they thought necessary for their Safety; and after the Peace should be made, and the ancient Amity restored, he would be ready to enter into such Engagements with them, should for ever secure their Repose and their Liberties, viz. he would be the Fox that should preserve the Geese.
In

Indignation will not suffer this to pass over without Reflexion, that the World may see what *T* is to be given to *French Faith*: Did not he make this War upon the *Dutch*, only because of the ill Satisfaction which he had of the *Dutch* Behaviour towards him, being risen to that Degree, that he could no longer without Diminution of his Glory, dissemble his Indignation against them, &c. and therefore resolved to make War against them by Sea and Land? Did he not at the Beginning of this War, by all *French* Ambassadors court the Prince of Orange to take upon him the Sovereignty of the *Dutch* Provinces? Did not his Ambassadors court Sir William Temple, Pensioner of the *Dutch* themselves, and that the Prince should make what Terms he pleased, so as to make a Separate Peace? and now he is making a separate Peace with a Pack of Factious *Dutch*, of the *Louvestein* Faction, opposite to the Prince, to wheedle them, that after the Peace was made, he would enter into firm Engagements with them as should for ever secure their Repose and their Liberties, meaning to dispossess the Prince from having any Power or Authority with them.

In this hopeful Security of this Faction relying upon *French Faith*, the Marquess de Balbaces proposed when the Six Towns in *Flanders* should be given to the Spaniard upon the *French* Terms, to which the *French* Ambassador answered, That his Master being obliged to see an entire Restitution made to the Swedes of all they had Lost in the War, could not restore the Towns in *Flanders* to the Spaniard, till those to the Swedes were likewise restored. So that now the *Dutch*, by this separate Peace, must only stand still and look on, if the King of *Denmark*, and the Elector of

Brandenburg

Brabant will not deliver the Towns they had taken from the *Swede*, which it's like they would not, nor could the *Dutch* compel them, while the *French* kept all *Flanders*, and impose what Terms they pleased upon the rest of the Confederates.

Beverning could not tell what to say to this, and acquainted the *States* with it, the *States* were confounded at it, and could neither tell what to do nor to whom to complain: To the Confederates they were ashamed to complain, who had so generously entered into the War for their Preservation, when otherwise they had sunk under the *French Tyranny* without Possibility of Relief; and therefore had great Reason to be offended at their endeavouring to make a separate Peace, thereby to expose them to the Fury and Tyranny of the *French Arms*, and the Councils of the Court of *England*, were so loose that Reliance could be had upon them: But it was *Hobbes*'s Choice, this or nothing.

That we may take all fair before us, let's now see the Fruits the *Dutch* had of their Cessation of Arms, for Six Months, to try if they could bring in the *Spaniard* to comply with the Terms which the *French* imposed upon *Beverning* and his Faction for restoring Six of the Nine Towns to the *Spaniard*, which was agreed upon between the King and Prince, and so by the League which the King made with the *French King*, after he had taken *Ipre* and *Gaunt*, *Luxemburg* proceeded to block up *Mons*, and *Schomberg* threatened to besiege *Cologne*: And thus the *Dutch*, bound Hand and Foot, had no body else to complain to, or expect any Relief from the Court of *England*.

The *Dutch* had a little before sent over one *Van Lewen*, (who was the Chief of the Town of *Leiden*, who Sir *William Temple* says, was a Man of great Honour and Worth) to treat with the King to enter into the War against *France*, which the King was obliged to by the League with them; and he received 1200000 l. of the Parliament for carrying it on, and by *Van Lewen* the States acquaint the King with the Terms upon which the *French King* would restore the Six Towns in *Flanders*, to the *Spaniards*; the King at first seemed not to believe it, but having sent to the *French Ambassador* (*Barillon*) to know the Truth of this, which the Ambassador owning, he seemed surprized and Angry at this proceeding of *France*, and next Morning sent for Sir *William Temple* to the Foreign Committee, and there declared his Resolution of sending him immediately into *Holland* with a Commission to sign a Treaty with the States, by which they should carry on the War, and the King to enter into it, in case *France* should not consent to evacuate the Towns within a certain Time limited, and the King took great Pains to press *Van Lewen* to go over with Sir *William* to perswade the States of the King's Sincereness and Constancy to pursue these Measures to the utmost of his Power.

Armed with these Powers; away goes Sir *William* and *Van Lewen*, and were received with all imaginable Joy by the *Dutch*; and Sir *William* by the *Princes* hoping by his Errand and Success of it, either to continue the War, or to recover such Conditions of the Peace for his Allies, as had been forced out of his Hands by force of a Faction begun at *Amsterdam* and after spread into the rest of the Provinces:

Provinces, even those which were so forward for Peace upon the *French Terms*, were so forward in this Negotiation, that in Six Days the Treaty was concluded; by which *France* was obliged to declare within Fourteen Days after the Date thereof, that they would evacuate the *Spanish Towns*; or in case of refusal, *Holland* was engaged to go on with the War, and *England* immediately to declare it against *France* in Conjunction with *Holland* and the rest of the *Confederates*: Here observe, that though Sir *William* was one of the Mediators of Peace at *Nime-*
men, yet whilst this negotiation was perfected, his post was to be at the *Hague*, for a Tale depends upon it. The Wisdom, as well as the Integrity of the Prince in the whole Negotiation of this Affair, was now so conspicuous, that the *States* owned the Prince had made a truer Judgment than they had one of the Measures which they were to expect either from *England* or *France*, and if it shall prove, that *England*, in this Business, shall prove as fickle and false as before, yet this shall never be ascribed to the Prince who was always the same he was before. So now all Preparations were made for the Relief of *Mons*, and ten Thousand *English* being arrived in *landers*, who were ordered to joyn the Prince, resolved to relieve *Mons*, or to dye in the Attempt.

After the Treaty concluded, and signified to *France*, all Arts that could be, were on that side employed to elude it by drawing this Matter into a Treaty, or into greater Length, which had succeeded so well in *England*, that they offered to treat upon it at *St. Quintin's* then at *Gaunt*; but the *States* were firm, not to recede from their late Treaty made

with the King and so continued till about Five Days before the Term was to expire.

You heard before how the King had solicited *Van Lewen* to accompany Sir *William Temple* to assist and perswade the States to pursue the Measures of *William* and he went upon to their utmost; but alas now when Sir *William*, as well as the Prince, were out of Sight, they were out of Mind too; and now Sir *William* was gone, he had forgot the Indignation which *Barillon* had put upon him in the Treaty of the *French Money* he was to receive for joyning in the *French Terms* with the *Dutch*; which he then said he would never forget so long as he lived; but now you shall see how absolute a Dominion the *French King* had over him, and by what Instrument he governed him, viz. a *French Man*, a *French Woman*, and a *French Monk* who had changed his Frock for a Petticoat. The *French Man* was *Barillon*, the *French Woman* was the Dutches of *Portsmouth*, and the *French Monk* was one *Du Crois*: These three attended the King in the Dutches of *Portsmouth's* Chamber and in one Hours time agreed, That *Du Crois* should carry Sir *William Temple* a Pacquet, wherein the King commanded him to go immediately to *Norwich*, and there endeavour all he could to perswade the *Swedish Ambassadors*, as from the King, to let the *French Ambassadors* there know, That they would for the Good of *Christendom*, consent, and even assure the *French King* no longer to defer the Evacuation of the Towns, and consequently the Peace, on the sole Regard and Interest of the Crown of *Sweden*, and Sir *William* was likewise commanded to assure the said Ambassadors, That after the Peace his Majesty would use all the most effectual means he could

for the Restitution of the Towns and Countries the
 had lost in the War; this was to get Sir *Willi-*
 out of the Way, who spirited the *Dutch* in the
 tion, that *Du Cros* might play his Pranks in the

But before *Du Croß* had brought his Pacquet to
William, he had gone about most industriously to
 the Deputies of the several Towns and acquainted
 them with it, and that the Terms of Peace was ab-
 solutely agreed upon between the two Kings: That
 he had brought Sir *William's* Orders straight to get
Nimeguen, and that upon his Arrival there he
 should meet with Letters from my Lord of *Sunder-*
 (the King's Ambassador at *Paris*) with all
 the Particulars concluded between them.

Sir *William* followed his Instructions and when he
 came to *Nimeguen* there were but three Days of the
 term fixed by the late Treaty between the King and
Paris at the *Hague*, either for the *French Assent* to
 the Evacuation of the Towns, or for carrying on
 the War in Conjunction of *Holland* with *England*,
 and consequently with the rest of the *Confederates*; but
 found there no Letters from my Lord *Sunderland* of
 the Particulars of the Peace concluded between the
 two Kings; but on the contrary a *Manifesto* to the
Dutch by the *French Ambassadors*, why their Master
 could not consent to it, without the previous Satis-
 faction of *Sweden*, whose Interests he esteemed the
 same with his own; but yet declaring he was wil-
 ling to receive any Expedients the *States* should offer
 in this matter either by their Ambassadors at *Nime-*
guen, or such as the *Dutch* should send his most Chri-
 stian Majesty at St. *Quintin* or *Gannt*.

The *Dutch Ambassadors* gave an Answer in writing declaring it was a Matter no longer entire, since upon the Difficulty raised about the Evacuation of the Towns, the *States*, their Masters, had been induced to sign a Treaty with *England*, from which they could not recede, nor from the Day therein fixed for the determining the Fate of War or Peace, and as there was no Time, so there could be no Deputation to St. *Quintin* or *Gaunt*; nor any other expedient besides the Consent of *France* to evacuate the Towns.

The *Dutch Ambassadors* having blown off the Chaff, the *French Ambassador* then declared to the *Dutch*, that they found the King their Master was resolved at the Desire of the *Swedes*, to retard the Peace no longer upon their Consideration, and would consent to evacuate the Towns, upon Condition the *States* would send their Deputies to treat upon the Ways of securing the future Satisfaction of *Sweden*, which was by both intended: But the *Dutch Ambassadors* continued peremptory, there could be no Deputation made by their Masters, and if the Term fixed by the late Treaty with *England* should elapse, there was no Remedy but that the War must go on, to which the *French Ambassadors* replied That their Hands were bound up from further proceeding without such a Deputation.

Whilst the *French* were thus wheedling with the *Dutch* to elude the Term fixed for the *French* evacuating the Towns, at the same time *Luxemburg* pressed *Mons*, and *Schomberg* seemed to threaten *Cole* when the fatal Day came, whether a sudden Peace or long War were to be reckoned upon in *Christendom*, when *Boreel* came early that Morning from *Amsterdam*.

London to the *Dutch Ambassadors at Nimeguen*; which were *Beverning* and one *Haren*, and then *Beverning* went to the *French Ambassadors*; and after some Conference with them, the *French Ambassadors* and *Beverning* went immediately to those of *Holland*, and declared to them that they had received Orders to consent to the Evacuation of the Towns, and thereupon to sign the Peace, and that very Day at Night, though late, *Beverning* signed a Treaty of Peace and Commerce, *Sir William Temple* and *Sir Lucnell Jenner* refusing to joyn in it, and the Confederates exclaiming against it.

The next Day after this Peace was thus signed, came an Express to *Sir William Temple* from our Court, with the Ratifications of the late Treaty between the King and *States*, with Orders immediately to proceed to the Exchange of them; whereupon *Sir William* went from *Nimeguen* to the *Hague*, and the next Day after his Arrival, made an Exchange of the Ratifications.

Now was *Holland* in as much Disorder as the Confederates were at *Nimeguen*; the Pensioner and several of the Deputies were as much dissatisfied with *Beverning's* Peace, as the Confederates were, and said he could not sign the Peace before he had acquainted the *States* with it, and received new Orders thereupon it; and talked of calling him into Question for it, and of disavowing what he had done, and thereupon of having recourse to the Treaty made with the King which they had now ratified.

But the Deputies of *Amsterdam*, with whom others joyned, declared their Satisfaction of the Conclusion of the Peace made by *Beverning*, and argued the Weakness of their Confederates, especially

Spain; and the Unsteadiness and Irresolution of *England*, had made the Peace absolutely necessary in *Holland*; But however this Confusion, and indeed the Fate of *Christendom* were the Consequences of *Du Cros* his Pacquet, and his acquainting the *Dutch* with a Peace made between the two Kings; yet how dishonourable soever this was to the King, he was not at all concerned at it that I can find; he pleasantly told Sir *William Temple*, That the Rogue *Du Cros* had out-witted them all. Could this be believed, if the great Authority of Sir *William Temple* had not said it?

During these Brawls, both at *Nimeguen* and all *Holland* over, the Prince of *Orange*, upon the Fourteenth of *August*, stormed *Luxemburg's Camp* before *Mons*, wherein the brave Duke of *Monmouth* and the noble Earl of *Offery* were Partakers in the Glory of it, and notwithstanding the *French* were fortified with all imaginable Art, and that the Prince's Army had undergone the Fatigue of a hard March, attacked them, with a Resolution and Vigour that at first surprized them, and after an obstinate Fight, so disordered them, that though the Night prevented the further Prosecution of the Action, yet it was generally concluded, That if the Prince had been at Liberty next Day to have pursued the Action with Seven or Eight Thousand *English*, who were ready to have joyned him, he might, in all Appearance, not only have relieved *Mons*, but have made such an Impression into *France* as had been often designed, but could not be done before: And I dare say, if *Luxemburg* had had the like Advantage over the Prince, the *Dutch* would have heard further of it, but the Prince was bound up by a known Authority,

and so could not pursue the Advantage
acquired against the *French*.

The Success of the Battel at *Mons*, though the
Army were withdrawn, gave new Life to
Spaniards and *Confederates*, that the War would
according to the Ratification of the Treaty
of the *Hague*, exchanged the Day before the Fight,
Sir *William Temple* and the *States*, whereas *Be-*
verning's Peace at *Nimeguen*, was concluded with-
the *States*; besides *English Forces* arrived daily
in *Flanders*, as if the King were now resolved to
go on with the *Dutch* in carrying on the War Pur-
suant to the League; which made the *Confederates*
as well as the *Spaniards*, refuse to agree to *Bever-*
ning's Peace.

Besides, neither the *French Pretensions* to the County
of *Beaumont*, and the Town of *Bovignes*, nor in what
right the Six Towns should be delivered up; whe-
ther Demolished, or in the Plight they then stood,
or the Dependances upon the Six Towns were ad-
mitted by *Beverning's Peace*: But this Hope of the
Spaniards and *Confederates*, shall cost them dear,
and only serve to advance the *French Terms*, and in-
ferrible Ravages of the *French* upon them.

For the *French* cared little for the *Confederates*
Disjunction with the *Dutch*; and as little for the
Dutch, when he had obtained his Ends upon the
Confederates; and therefore the *French* fall to their
Wheedling Trade again with the *Dutch*; and the
French King sent a Courier to *Nimeguen*, to satisfy
the *States* in those Clauses of the Treaty, wherein
they seemed justly to except against *Beverning's Con-*
duct, thereby to cover the Credit of that Minister
who had been so Affectionate an Instrument in the
Progress

Progress of the Treaty ; and gave them (the *Spaniards*) Liberty a little to soften the Rigour the *French* as yet exercised in the smallest Points contested with the *Spaniards* ; and at last, dispatched an Express to the *Dutch Ambassadors*, with Power to remit the Differences which obstructed or retarded the Conclusion of the Treaty between *France* and *Spain* to the Determination of the *States* themselves.

This Bait these Gudgeons swallowed as if no Hook had been in it ; so that several Towns and Provinces, proceeded with a General Concurrence to the Ratifications of the Peace, that they might lye ready in their Ambassadors Hands to be Exchanged when that of *Spain's* should be Signed ; and so Diligent was *Beverning* in carrying on the *French Designs*, now they were thus entertained in *Holland* that they huddled up the Treaty between *France* and *Spain*, and by the Twentieth of *September*, the Ratifications of it were Exchanged with the usual Forms, and now the *Dutch Ambassadors* are become Mediators of (or Conspirators) in this Treaty whilst *Sir Lionel Jenkins*, the King's Mediator, stood still looking on, and having no Hand in it and all the Ambassadors of the other Allies, as well as the *Spaniard*, enraged and exclaiming against it.

During this Conspiracy, the *French Troops* made Incursions into the Richest Part of *Flanders* which had been covered in the time of the War and there exacted so great Contributions, and made such Ravages where they were disputed, that the *Spanish Netherlands* were more ruined between the Signing of the Peace, and the Exchange of the Ratifications, than they had been in so much Time during the whole Course of the War. The

and Calamities of the Poor *Flemings*, moved the *Spaniards* out of their slow Pace, so that they were forced to accept of the Terms the *French* and *Dutch* would give them.

And now the *Dutch* had done the *French-Work* with *Spain*, they will do the rest without the *Dutch*; and Piece-meal made the Duke of *Lorraine*, the Emperor and King of *Denmark*, and all the Princes of the Empire, submit to such Terms as the *French* pleased: The Particulars and Manner of it, you may read at large in the Second Part of Sir *William Temple's Memoirs*, which are Printed.

And now the *French King* had by the Help of the *Dutch*, made his Market by the Peace at *Nimeguen*, let's see how he improved it after: The *French King* sets up Courts of Claims in *Alsatia* and *Flanders*, to determine the Dependences upon those Towns, which he kept by the Treaty of *Nimeguen*, both in *Flanders* and *Alsatia*, where he is sole Judge, and executes his Judgments by Military Execution: It's scarce Credible, the Ravages he made hereby, and what Titles he set up: I'll give but one Instance herein mentioned by Sir *William Temple*, p. 370. The Town of *Tournay* was to have been given up to the *Spaniard*, by the Agreement made between the King and Prince; this was left out in the *French Terms* accepted by the *Dutch*; and *Aeth* was to be one of the Six Towns to be delivered up to the *Spaniard* by the *Dutch Terms* with the *French*; and the *French* had dismembred above Sixty Towns which were dependent upon *Aeth*, and added them to the *Chatellence*, or *Bailiwick* of *Tournay*; and were thus belonging to *Aeth*, when the *Spaniard* transferred *Aeth* to the *French* by the Treaty of *Aix la Chapelle*;

Chapelle; but now *Aeth* must be restored to the *niard* in the Condition they left it, and not what they found it: So that by these Acquisitions which the *French* got by this Treacherous Peace, he got more in Consequence, than by the War.

C H A P. IV.

A Continuation of this Reign, to the Death of King Charles the Second.

WHEN the Parliament had given the King 1200000 *l.* for carrying on an Actual War against *France* in *January* last, the Popish Plot was then in *Embrio*, and the Parliament were so mortified by the Answer which the King made to them upon the Twenty Eighth of *May* before, for advising him to enter into a League with the *States General* of the *United Provinces*, against the Growth and Power of the *French King*, and Preservation of the *Spanish Netherlands*, &c. that they never durst meddle more in it; and it may be concurred more readily in giving the King 1200000 *l.* for carrying on the War against *France*, upon the League which he had made at the *Hague*, by Mr. *Thyn*, though Sir *William Temple* refused to have any Hand in it, as is said before.

The Commons in Parliament for the first Ten Years of this Reign, were *Tories*, and all their Business was against the *Protestant Dissenters* from the Church, scarce taking Notice of the *Papists*, till the

Breach

each of the Triple Alliance; the Second Marriage of the Duke of York; the Second Indulgence; the Liberty of Conscience; the Attempt upon the *Spanish Fleet*; the shutting up of the *Exchequer*; and the King's making War upon the *Dutch*, in Conjunction with the *French*: These thus successively acted, opened the Eyes of the greater Part of the Commons, that for their own, and the Nations Safety, they became more Numerous in the House, than the *Tory Party*; yet retained their Loyalty to the King, I verily believe, as firm as any *English Men* before them.

But out of the House, the Feuds of the *Tories* and *Whigs* were as invenomed, as those between the *Jesuits* and *Gebelines*, which for Three Hundred Years, involved *Germany* and *Italy*, in intestine Wars: The *Tories* cry'd up the Court, and the Court countenanced them; and the *Tories* having the Dominion of the Press, Printed all Sorts of Irritating Libels against the *Whigs*, and if the *Whigs* Answered, they were prosecuted for Printing *Illicite*; when the *Tories* could make no other Reply, but, That the *Whigs* were running back to 1641.

The *Tories* had got a New invented Doctrin of inconsistent Terms, called, *Passive Obedience*: I would willingly be informed in the Grammatical Construction of these Two Words, how a Noun Adjective, or Participle, can alter the Signification of a Noun Substantive; for if any one be subject to another, and be commanded or forbidden by this other, it is Disobedience if he does not the Command of this other: How therefore *Passive* joyned to Disobedience, can make it Obedience, had need of a better Interpretation than what the *Tories* give; which

which is, if you cannot obey you must suffer: But this is another Proposition; and so Disobedience here Disobedience still; and the true Construction of *Passive Obedience*, is Disobedience and be Hanged for it.

The *Tories* and *Whigs* in these Feuds, were apt to take Fire and divulge, nay, it may be invent Stories of one another, and the *Popish Party* nourished Designs against both; and being countenanced by the *Tory Party*, in the Interval between the Prorogation of the Parliament which met by Anticipation (as Sir *William Temple* calls it) in *January 1678* made a great out-cry, which was blazed by the *Tories* That there was a Design by the *Whigs* of killing the King; but it hapned Mr. *Hawles* says in *Fitz Harris's Tryal*, f. 3. to be in such a Place and Manner, as afterwards *Oates* discovered the *Papists* intended to have done it.

Hereupon Mr. *Cleypole* (*Oliver's Son-in-Law*) was imprisoned in the *Tower*, (the Place you'll see where the *Papists* acted all their Designs) for designing to kill the King; and in *Trinity Term 1678* Mr. *Cleypole* had an *Habeas Corpus* to the King's Bench, and was brought up, in order to be Bailed, and produced Persons of Worth to Bail him; but the Penalty of the Bail set by the Court, was so high, that the Bail refused to stand, and Mr. *Cleypole* was remanded to the *Tower*: But the Term after, when the Matter of which he was accused, appeared to be the Design of other People, he was let go, for fear the Examination of it should go further in proving the *Popish Plot*, than any thing at that time discovered; and therefore no further Inquiry was made upon whose, or on what Evidence he was committed.

The

The first who gave Light to the *Popish Plot* was *Oates*, which if it had depended upon his single Testimony, had not like to have gone any further, the Court and *Tories* being so industrious to ridicule it, if some other Accidents should not make *Oates's* Testimony more credible: *Oates* therefore refers himself to *Coleman's* Papers, where the whole Design would appear to have been carried on for the last Five Years.

The Court, could not but inquire into the Truth of this, but proceeded so slowly in it, that *Coleman* had time enough to convey away all the Papers of the last Two Years, with his Book of Entry's of them, though his Servant *Boatman* upon his Examination deposed, he saw *Coleman's* Book of Entry's but Two Days before *Coleman* was made Prisoner, and that he had usually Letters every Post from beyond Sea: However, the Letters which were found, amazed the greater Part of the Council.

But though these Letters began this Plot in the Year 1673, yet it is evident by the Testimony of *Lorenzo Wyer*, who was a Roman Catholick, that a *Popish Plot* was carried on in *Ireland*, in the Years 1665 and 1666, and brought to that Maturity, that in the Year 1667, Colonel *Kelly* and Colonel *Donn*, were sent into *Ireland* from the *French King*, with a Commission to Muster as many Men as they could, the *French King* promising to send an Army of Forty Thousand Men to establish the Roman Catholick Religion, upon St. *Lewis's* Day in *August*: But the *French King*, as before noted, had other Designs in his Head, and at that time was engaged to make good the Dauphin's Title to *Brabant* and the other *Spanish Territories*, and so kept his Word no better with
the

the *Irish*, than he had done his Faith in the *Pyrene Treaty*: The *Irish* hereupon complained to the Cardinal of *Bouillon*, of the *French King's* Breach Promise to them, and that he should turn his Arms against the Catholick King, and not redeem *Ireland* from its Heretical Jurisdiction; which you may read in *Plunket's Tryal*, and how it was carried till the Discovery of that in *England*; and all proved by Roman Catholicks.

If those Councillours which were not engaged in the Popish Plot, were amazed at this Discovery of *Coleman's Letters*, those who were engaged in it were not less surprized; and the Parliament being meet some few days after, I think the Third of *October*; the King hereupon, as aforesaid, took Council whether he might not prorogue it to a further day; and 'twas said *Chancellour Finch* was of opinion he might, whereupon *Mr. Seamour* (now *Sir Edmund*) then *Speaker* of the Commons, went out of Town but upon Advice of *John Brown*, Clerk of the Parliament, that so many Members of both Houses must Meet and Sit when a Prorogation was made, *Mr. Seamour* was recalled, and the Houses met and were prorogued accordingly.

Between this Prorogation and Meeting of the Parliament, *Sir Edmundbury Godfrey* was Murdered, and if the Council were amazed at *Coleman's Letters*, the whole Nation was not less, at the Murder of *Sir Edmund*, and the time set for the Meeting of the Parliament being about Four or Five Days after, the Court thought not fit to make another Prorogation to take new Councils upon the Murder of *Sir Edmundbury Godfrey*. Now let's see how things stood upon the meeting of the Parliament upon the 23^d

October 1688, both abroad and at Home. And therein both Houses were as warm in Enquiry into them, as the Court was cold.

It was but in *January* before, that the Parliament had given the King 1200000 *l.* for carrying on a War against *France*, in Conjunction with the *Dutch* and their Allies; and upon their Meeting, they found a Treacherous Separate Peace made by Faction of the *Dutch* with the *French*, and upon such Terms, wherein the King had taken Money of the *French* to joyn with this *Dutch Faction* in it; besides the King's Guards, which he might increase as he pleased, as well as keep up those he had, there was now another Army raised, which now it was of no further Use abroad, they dreaded as much as they did the *French Arms*, now he had subdued the Confederates, by the *Dutch Disjunction* from them: And the Discovery of the Popish Plot carried on at home, whilst these things were thus transacted abroad, was to them a Demonstration, the same Councils which governed abroad, did so at home. And if the Parliament were thus amazed at their Meeting, it was no ways lessened, whenas they found that in this very Month no less than Fifty Seven Commissions were discovered for raising Soldiers, granted to several Romish Recusants, with Warrants to muster without taking the Oaths of Allegiance and Supremacy, and the Test, Countersigned by J. W. Secretary of State; whereupon the Commons committed him to the Tower; yet the King that Day discharged him, with a Reprimand to the Commons; but upon the Commons Address to the King about it, the King, as before in his Declaration of Indulgence, promised to recall them.

T E E

However,

However, the Commons appointed a secret Committee to inquire into the Bottom of the Popish Plot, who having made some Progress in it upon Friday the first of November, came to this Resolution, *Nemine Contradicente*, That upon the Evidence that has already appeared to this House, this House of Opinion, That there hath been, and still is a damnable Hellish Plot, contrived and carried on by Popish recusants, for Assassinating and Murdering the King, subverting the Government, and Rooting out, and Destroying the Protestant Religion: Which being the same Day communicated to the Lords, they unanimously and readily concurred with the Commons in it; and on the Fifth, the Commons impeached the Earl Powis, the Viscount Stafford, and the Lords Ardel of Warden, Peters and Bellasis, of High Treason.

The Commons having proceeded thus far searching into the Popish Plot upon the Twentieth of November, proceeded in their next Business of the Army raised, and now indeed in Flanders where the French Army raged, after the Dutch had made their Separate Peace without Opposition, and the English Army only a Burden to the Country, and of no Use to restrain the French Ravages; Voted,

1. That it is necessary for the Safety of his Majesty's Person, and preserving the Peace of the Government, that all the Forces which have been raised since the Twenty Ninth of September, One Thousand Six Hundred Seventy Seven, and all others which have been since that time, brought over from beyond Seas, from Forreign Service, be forthwith disbanded:

2. It is the Humble Opinion of this House, That the Forces which are now in *Flanders*, may be immediately called over, in order to their Disbanding.

3. That the House would to Morrow Morning resolve it self into a Committee of the whole House, to consider the Manner of Disbanding the Army.

The Five Popish Lords had been impeached by the Commons about a Fortnight, and no Articles exhibited against them, when the King gave the Commons an Account that he had given Order for seizing Mr. *Mountague's* Papers, upon information that he had held several Correspondencies, whilst he was Ambassadour in *France*, with the Pope's Nuncio, without any Direction or Order of his Majesty.

But Mr. *Mountague* the same Day produced Two Letters from my Lord Treasurer, whilst he was Ambassadour in *France*; which being Read, the House Resolved to Impeach the Treasurer, and the same Day ordered a Committee to draw up Articles against him; which on *Saturday* the Committee did, and on *Monday* following, Impeached the Treasurer upon them; whereas the Commons had not yet exhibited any against the Popish Lords: This was upon the Twenty Third of *December*.

But if the Treasurer were constant to himself, I do not understand how the Commons Impeachment of him in the Fourth Article, could consist with the King's displeasure against him for the quite contrary; that he suppressed the Evidences, and reproachfully discountenanced the King's Witnesses in Discovery of the popish Plot, and Sir *William Temple* p. 391. That the Treasurer was fallen into the King's Displeasure for bringing the popish Plot into Parliament against the King's absolute Command.

However the Parliament granted the King 693388 l. to disband the Army, and also an Additional Duty upon Wines for three Years; but more Money being like to come this Sessions, upon *Munday* the thirtieth of *December* he prorogued the Parliament to the Fourth of *February* next, and then told them, *That it was with great Unwillingness that he was come to tell them that he intended to prorogue them. That all of them are Witnesses he had not been well used the Particulars of which he would acquaint them at a more seasonable Time, (but when will that be, for he never saw them after ?) In the mean time he would immediately enter upon the disbanding of the Army, and do what good he could for the Kingdom, and Safety of Religion, and that he would prosecute the Discovery of the popish Plot to find out the Instruments of it, and take all care that is in his Power to secure the Protestant Religion as it is now established : How well this was performed you'll soon see, and before the Fourth of February dissolved this Eighteen-Year-Old Parliament: The prorogues went, it was upon the account of my Lord Treasurer, though I believe upon severer Thoughts it would seem rather to have been done upon the account of the popish Lords and popish Plot. These Feuds in the Nation, and Jealousies between the King and Parliament stifled the Apprehensions of the dreadful growing Power of the *French King*, and made fair Weather for him to prosecute his boundless Ambition without any Regard of his Faith or Honour, which ever he could extend it.*

Never did one Parliament succeed another so early, as the next did this long Parliament, for the King, by his Proclamation, dissolved the long Parliament upon the twenty fifth of *January*, and

same Day issued out Writs for a new one to meet at *Westminster* the Sixth of *March* following, which was just Four Days between the Test and Return.

In this Interval the Blaze of the Parliament's Vote of their Apprehensions of a damnable and hellish popish Plot had taken deep Impressions in the Minds of Men in general, and the *Whigs* taking Advantage of it, in this short Interval run down the *Tories* without Opposition: Nay, even the King himself apprehended there could be no Hopes of attaining his Ends in the next Parliament, but by seeming zealous in the prosecuting the Discovery of the popish Plot, and that he would not longer be governed by Favourites and single Councils.

There had been several Debates in the House of Commons, of the dangerous Consequences in Reference to the Duke of *York's* Succession to the Crown, and that the Bottom of the popish Plot centred in the Duke's being a Papish, and the presumptive Heir to the Crown, but I do not find they came to any vote upon it, yet resolved upon the eighth of *November*, to make an Address to the King, That the Duke might withdraw himself from his Person and Councils, and in Conformity therewith the Duke went or was sent into *Holland*, and upon the meeting of the Parliament, the King acquainted them how great things he had already done for the preventing the Progress of the popish Plot, as the Exclusion of the popish Lords from their Seats in Parliament, and the Execution of several Men upon the score of the Plot, as well as the Murder of *Sir Edmundbury Godfrey*: But above all that he had commanded his Brother from him, because he would not leave malicious Men Room to say he had

not removed all Causes which could be pretended to influence him towards popish Counsels, and tells, *That as he had not been slack in putting the present Laws in Execution against Papists, so he was ready to joyn in making such further Laws as may be necessary for securing the Kingdom against Popery*, and then demands a Supply, and concludes with his Desires to have this a healing Parliament.

The House chose Mr. *Seamour* the Speaker of the last Parliament to be their Speaker in this, but the King rejected him, which was no good Presage of a healing Parliament, and so the Commons chose Mr. *Sargeant Gregory*, and the King accepted him.

The Commons began where the last Parliament left, in prosecuting their Impeachments against the Earl of *Danby*, and the popish Lords in the Tower; but who should be first tried, and what were the Jurisdiction of the Bishops Right of voting in their Impeachments, and their Judgments in Cases of Blood run quite through this Sessions, wherein the Lords and Commons seldom agreed. There were Two things which made the Earl of *Danby's* Case more favourably spoken of: One, that though he were prosecuted several Weeks after the popish Lords were committed, yet the Commons would not proceed in their Impeachments against the popish Lords before the Lords had given their Judgments upon the Earl's Plea: The other was a Vote of the Commons upon the Ninth of May, *That no Commoner whatsoever should presume to maintain the Validity of the Earl of Danby's Pardon without Leave of the House first obtained, and that the Persons so doing shall be accounted Traytors of the Liberties of England*; and there was no Nobleman a professed Lawyer, so that though

the Earl's Plea upon his Pardon was matter of Law, yet no Commoner must presume to plead his Cause.

The King, besides his sending the Duke of York beyond Sea; that the World might now see how otherwise he was become a new Man for the future, upon the twentieth of *April* 1679, made this Declaration in Council, and in Parliament, and after published it to the whole Nation, how sensible he was of the ill Posture of his Affairs, and the great Dissatisfaction and Jealousies of his good Subjects, whereby the Crown and Government were become too weak to preserve itself, which proceeded from his Use of a single Ministry, and of private Advices, and therefore proposed his Resolution, to lay them aside for the future, and be advised by those whom he had then chosen for his Council, in all his weighty and important Affairs, together with the frequent Advice of his great Council in Parliament, and indeed in his Council were many worthy Members; my Lord of *Shaftsbury* was President of it, and the then Sir *Henry Capell* and Sir *William Temple* Members of it.

But this Declaration of the King's added to the sending the Duke of York into *Holland*, had not the King's Desired Effect, the Commons, besides the Dread of the popish Plot as well at present, but more in Consequence after the King had declared he would not alter the Succession of the Crown in the right Line, were no ways satisfied with the Disbursements of the Money, nor the disbanding the Army, yet were resolved it should be done, and voted an other Sum of 26462 *l.* for it, but it was not carried without some Difficulty, that these Moneys

should be paid into the *Exchequer*, but Chamber of London : However, the Commons carried that the Moneys so raised should be appropriated to that Use and to that end appointed Commissioners to disband the new raised Army, and so voted, *that the Continuance of any standing Forces in this Nation, other than the Militia, to be illegal, and a great grievance and vexation to the People*, hereby meaning the King's Guards, they also ordered a Bill to be brought in for annexing Tangier to the Imperial Crown of England, and voted *that those who did advise the King to part with Tangier to any foreign Prince or State, or were instrumental therein ought to be accounted Enemies to the King and Kingdom.*

But how jealous soever the Commons were of the King, yet they conceived it was his Life which secured them from the Fears they dreaded of the Duke coming to the Crown, and therefore upon the Eleventh of May, voted, *Nemine contradicente, That in Defence of the King's Person, and the Protestant Religion, this House does declare that they will stand by his Majesty with their Lives and Fortunes, and that if his Majesty shall come to any untimely End (which God forbid) they will revenge it upon the Papists.*

It seems the Commons had more Care of the King than he had of himself, for he not only countenanced the Plotters, but ridiculed the Plot : In his Speech at the opening this Parliament, he told them he had not been idle in discovering the Plot, and in the last he told Sir William Temple, he was displeased with the Earl of Danby, for bringing the popish Plot into Parliament, against his absolute Command ; *Oliver's* Professions and Actions never appeared so hypocritical and deceitful as this King's : and all this after the Parliament

Parliament had voted *there was an Hellish Conspiracy* against the *Papists* against his Life, and this proved by a Cloud of Witnesses agreeing in the Manner and Circumstances of it, as *Oates*, *Bedlow*, *Dangerfeild*, *Bolron*, and *Mowbray*, many of which had never seen one the other before they gave their Testimonies.

Objection.

These were Witnesses of suspected Fame, therefore no credit ought to be given to them ; but admit, this were true, which is not, for except Dangerfeild, and while France was frightened with Terror, there was no Objection against Oates, Bedlow, Mowbray, and Bolron ; it will admit of a twofold Answer.

1. Truth is one, and consists in entire Parts ; whereas Error and Falshood is infinite, and therefore it had been impossible that *Mowbray* and *Bolron*, who had never seen *Oates* or *Bedlow* before they gave their Testimonies, and *Bedlow* who had never known *Mowbray*, *Bolron*, nor *Oates*, should concurr not only in the Design of killing the King, but in the Manner, Place, and Circumstances of it.

2. Admit, these Mens Evidence might not have been credited in other Cases : Yet, it's fit to consider Witnesses in civil and criminal Cases : In civil Cases men may make Elections of what Witnesses they please, and 'tis their Fault if they make not use of Men of known Integrity and Repute, that more Credit maybe given to their Evidence, and the End of civil Actions and Contracts is, that they may be known : But immoral and wicked Actions
are

are Deeds of Darknes, and contrived so as that they may not be known ; so that the Knowledge of them comes to pass either by Accident or from the Conspirators themselves, as if only one Man sees a Murderer or Thief kill or rob another, if his Testimony shall not be taken, because otherwise an ill Man ; Multitudes of Murders and Thefts might pass unpunished ; so if *Cicero*, when *Enobarbus* first discovered *Catalines's* Conspiracy to him, had told her, She was an Whore, and no Credit could be given to any thing she said, *Rome* might have been in a Flame, as *London* was, and all the Senators Throats might have been cut.

But admit, no Credit could be given to any or all these Mens Testimonies, who were all *Roman Catholicks* : I would know what Objection could be against Mr. *Jenison* (a Gentleman of Birth and Quality) who gave no Evidence at *Ireland's*, *Wakeman's* *Pickering's*, or *Groves's* Tryals, and changed his Religion, when he heard that *Ireland*, who was his Father's Confessor at his Death, denied he was in Town, but in *Staffordshire*, where *Oates* and *Groves's* Maid said he was in *London* in *August* 1678, and Printed it, and the Reasons of it ; and also at my Lord *Stafford's* Tryal in open Parliament deposed, That *Ireland* told him there was but one that stood in the way, and that it was an easie thing to Poyson the King ; and that Sir *George Wakeman* might easily, and opportunely do it : And that in *August* 1678, (when *Ireland* at his Death, declared he was in *Staffordshire*) *Ireland* told Mr. *Jenison* in *London*, when he was newly returned from *Windsor*, how easily the King might be taken off ; and asked Mr. *Jenison* if he would be one of them

who should go to *Windsor*, and assist at the
 taking off the King, and proffered Mr. *Jenison* to re-
 turn 100 l. which he owed *Ireland*, if he would;
Ireland asked if he knew any Stout Irish Men,
 he answered he knew Captain *Levallian*, Mr. *Ker-*
Brobal and *Wilson*. *Ireland* told him he knew
Mallickian and *Wilson*; and then *Ireland* asked him if
 he would go with them, and assist them in taking of
 the King; after this *Ireland* told Mr. *Jenison* he was
 going to the Club, where Mr. *Coleman* Mr. *Lavalli-*
and Kerney would be, and that he wanted 80 l.
 which he desired Mr. *Jenison* to return him.

Mr. *Jenison* further deposed, That his Brother,
 Mr. *Thomas Jenison* (a Jesuite) said, If C. R. will
 be R. C. which he interpreted to be, *Si Carolus*
rex non esset Rex Catholicus, non diu foret Rex Carolus,
 and that it was no great Sin to take him off; Mr.
Jenison desiring a new Commission in the new raised
 Army, his Brother told him he would procure him
 one from the Duke of *York*, and that there was an-
 other Army to be raised, but this was not to be till
 the King was taken off, and this I say, that about this
 time there was a general Rumour, of a Page being
 killed upon a Couch in the Night, at *Windsor*, where
 the King was laid but a little before, and that the
 King, upon the Fright of it, came next Morning to
London; and that it was Prince *Rupert*, who, with
 much Importunity, got the King (having been
 drinking hard before) from the Couch and put him
 to Bed, and that the Page who was killed asleep upon
 the Couch, was wrapt up in the Cloak the King was

The Commons likewise resolved *nemine contradi-*
cente, That the Duke of *York* being a Papist, and the
 Hopes

Hopes of his coming as such to the Crown, have given the greatest Countenance and Encouragement to the present Conspirators, and the Designs of the Papists against the King and Protestant Religion.

But the Designs of the King, was how to get Money for providing a Fleet for our common Security now in time of such a Peace as the *French King* had granted *Christendom*, after the King had taken his Money to joyn in it, and after he had taken the Parliament's Money to enter into an actual War against *France*; and after the Parliament had twice given Money for disbanding this Army, which not succeeding, the Commons dreading how Moneys, given at this Time of Day, might be employed; took no more Care in it than the King did in the Discovery of the popish Plot; so he prorogued the Parliament upon the twenty Seventh of *May*, to the fourteenth of *August*, and upon the twelfth of *July* dissolved them.

We shall better take a View of what followed the Prorogation of the Parliament in *England*, if we take a Step into *Scotland* and see what's doing there. Upon the third of this Month of *May*, *John Balfour* of *Kinlock*, *David Hackston* of *Rathilelet*, *George Balfour* of *Gilston*, *James Russel* in *King's Kistle*, *Robert Dingwall* a Farmer's Son in *Caddam*, *Andrew Guillan* a Weaver in *Balmerinloch*, *Alexander Henderson* and *Andrew Henderson* Sons of *John Henderson* of *Rillbrachmont*, and *George Flemming*, Son to *George Flemming* of *Balbuthy*, murdered Doctor *Sharp*, Archbishop of *St. Andrews*, who, before the King's Restoration, had held an exalted Place in the *Scottish Presbytery*, and was in high Esteem among them, in as vindictive a Manner, as was that of the *Marquess*

Montross about twenty One Years before, as
 ing a perjured Apostate Prelate, a Villain, a Per-
 mitor of the Godly, a Betrayer of *Jesus Christ* and
 Church, and which augmented the Horror of the
 ct, if my Authour of the Second Address to the
 eemen of *England*, P. 58. says true, That they
 eral times beat down the Arch-Bishop's Daughter
 on her Knees, begging her Father's Life, and
 ampled upon her and wounded her.

This Barbarous Act was a *Prelude* to what follow-
 , for upon the twenty Ninth of this Month, a
 arty of about Eighty of the Covenanters met at
 gland in *Scotland*, well mounted and well armed,
 and proclaimed the Covenant, and burnt several
 cts of Parliament, made against it, and for establish-
 ng Prelacy, since the Year 1660, and would have
 fixed their Declaration at *Glasgow*, but were pre-
 ented by the King's Forces for that time.

This Rebellion of the Covenanters, initiated by
 o horrid a Fact, did not extend so far as the Cove-
 nanters in their Frenzy and Zeal imagined, yet up-
 n Sunday, the First of June, they rendevouzed
 bout 1500 Men upon *Louden-Hill*, one *Wier* com-
 manded the Foot, and *Robert Hamilton*, one *Patron*,
 with *Balfour* and *Hackston* (which two last, assassi-
 nated the Arch-Bishop.)

With this Force they took the City of *Glasgow*,
 and to shew how all Crowns and Scepters must vail to
 them, they published two Proclamations.

1. We the Officers of the covenanted Army, do require
 and command you the Inhabitants of the Burgh of
Glasgow, to furnish us with twenty four Carts, and six-
 ty Horses for removing our Provisions from this Place to
 our Camp, where-ever we shall set down the same, and to
 abide

abide with us for that End, during our Pleasure, Pain of being reputed our Enemies, and proceeded accordingly.

The other was.

We the Officers of the covenanted Army, do receive and command the Magistrates of Glascow to extend banish forth thereof all Arch-Bishops, Bishops and Clergymen, their Wives, Berns, Servants, and Families, and all Persons concerned in the King's Army, within forty Hours after publishing hereof, under highest Pains: And then they published a long Declaration of their taking up Arms for a free general Assembly, and free and unlimited Parliament, to redress the manifold Grievances there enumerated, and humbly to request his Majesty to restore all things as he found them when God brought him home to his Crown and Kingdoms; that was to the Dominion the Rump Parliament in England had over them, which you may read at large, in the aforesaid Author, from P. 67. to 74.

To these Declarations the said Author P. 87. adds that they barbarously treated the dead Body of one Graham, whom they had killed at a Conventicle: That they committed insufferable Insolencies in the Houses of the regular Ministers and loyal Gentlemen as they marched along to Glascow, stabbing and gashing his Majesty's Picture wherever they found it: They behaved themselves barbarously in the House of the Arch-Bishop of Glascow, where they burnt his Books, cut in Pieces his best Furniture and Hanging, and almost kill'd a Gentlewoman with Blows, who was left to keep the House, for saying, Gentlemen, I hope you'll remember you are in an Arch-Bishop's House. They sacrilegiously entred the Cathedral of Glascow, and

and finding a Tomb-stone over two of the Children of the Bishop of *Argile*, with an Inscription of a modern Date, they digged up their Bodies, run them through with their Swords, and left them lying above Ground.

In the mean Time the Council of *Scotland* were not idle, but raised an Army, and quartered it at a place called *Blackhorn*, to prevent the Covenanters approach to *Edenburg*; and gave the King an Account of these things, and expected his Majesty's further Orders: And now I'll tell a Wonder which will be scarce believed in future Generations. The King sent the Duke of *Monmouth* from *London* upon the twentieth of *June*, and the Duke rode above three Hundred Miles upon that Day, and the two next Days, and upon the twenty third, ordered, and so disposed the King's Army raised by the Council, that he fought the Covenanters, and routed them, killing about Seven Hundred of them, and took above Eleven Hundred of them Prisoners, and now it may be you'll hear of a Wonder in Consequence after this Fight, as great as the Fight, and the Duke's Journey before it.

I do not question but that the Design of the Court in sending the Duke of *Monmouth* into *Scotland*, to suppress the Covenanters, was by it, to make him Odious to the *Presbyterians* and other Dissenters from the Church of *England*, in case he suppressed the Covenanters; which though the Duke did, yet the End designed by the Court in it, did not succeed.

For the dreadful Apprehension of the Duke's Succession to the Crown of *England*, had taken a deep Impression in another sort of Men, besides Dissenters;

Dissenters; and where Men are fearful of Danger, they will seek all Means how to prevent the Danger, especially where the Power of doing ill is greater; and therefore another sort of Men, the *Whigs*, might have their Eyes upon the Duke of *Monmouth*, as the only means to prevent the Fear they dreaded by the Duke of *York's* Succession to the Crown; his Title to the Crown of *England*, if he could get an Act of Parliament for it, being as good as that of *John*, alias *Robert Stuart*, the Son of *Elizabeth More*, from whom the King and Duke of *York* were descended, and in whose Right they claimed the Crown of *Scotland*, if not those of *England* and *Ireland*.

However, this gave the Lye to the *Tories*, that those were Common-Wealth's-Men who would not submit to the illegal and arbitrary Will of the King, their Doctrine of passive Obedience; and that Kings, *Jure Divino*, may do what they list, though God has set Laws and Bounds to all the created Bodies of Heaven and Earth, and all other Creatures in them. But how mischeivous these Doctrines have proved to these three Kings of the *Scottish Nation*, has been already said, and I say, that it was such flattering Doctrines as these, that ruined all those Kings and Kingdoms (except the *Gibeonites*, *Joshua* 9. the State of *Venice*, and that of *Geneva*, for *Du Salez* was a just and vertuous Prince) from which Common-Wealths arose: Who ever, before King *James* and King *Charles* the First's Reign in *England*, heard of talking of Common-Wealths in *England*, and of the several Sorts of Government, viz, Monarchy, Aristocracy, and Democracy, which two later, though they have the same Names, yet no two of either in their

their Constitutions, were like one the other? And these Common-Wealths took their Rise from the Tyrannies of Kings and Princes; so the exploded Government of the Rump, if it were a Democracy or Common-Wealth, gave Life to all those Confusions, Perjuries, Breach of Leagues, and devillish Practices of this Reign; which would have been intolerable in any other; and would have been opposed not by rising in Arms against them; yet at least in not so profusely pouring out Money for continuing and carrying of them on.

The Popish Faction were more jealous of the Duke of *Monmouth*, than the Tories were of a Common-Wealth, and the rather because there was a Pamphlet printed, that the King was married to the Duke's Mother, and rumoured abroad that Sir *Gilbert Gerrard* had a black Box, in which the Marriage of the King with the Duke's Mother was fully proved, and made out; and the Fear of the Duke of *York*'s Succession was so fixed in Men's Minds, that the Story of the black Box was generally divulged, and for ought I know believed by those who were fearful of the Duke of *York*'s Succession.

If this could be made out, the popish Faction would loose the *Tories* and *Passive-Obedience Men*, who at present were their dearest Joys, and without them they had not Means to carry on their Design propagating the Catholick Cause; they were sure of the King (though it's believed he loved not the Duke of *York*) and therefore the King made three Declarations, the first of the Second of *June* 1679, wherein he calls the Report of his Marriage Contract with Mrs. *Walters*, alias *Barrow*, the Duke of *Monmouth*'s Mother, False and scandalous;

U n u

and

and upon the Sixth of *January* following, declared That they who should say he was married or contracted to the Duke of *Monmouth's* Mother, were neither his nor the Duke's Friends, and declared in the Presence of Almighty God, that he was never married nor contracted to any other Woman but his Wife Queen *Catherine*; and upon the third of *March* following, declared in Council, and entred it into the Council-Books, in the Presence of Almighty God, that he was never contracted or married to any other Woman, but his Wife Queen *Catherine*; and the popish Party were sure enough no Issue would spring from thence, to the Prejudice of their Cause.

And that the King might gratifie this Faction, as well as he had done the Nation, in sending the Duke of *York* out of it, he sends the Duke of *Monmouth* after him; but the Duke being informed, that his Punishment is a Punishment, which the King cannot inflict upon any Man unless he be convicted of some Crime; the Duke of *Monmouth* returns again, and the Duke of *York* follows him, with this different Success, that the Duke of *Monmouth* had all his Places of Profit and Trust taken from him, and the Duke of *York* was sent high Commissioner into *Scotland*, where the Duke of *Monmouth's* Victory at *Blackbourn* had left a clear Field in *Scotland*, for the Duke of *York* to play what Game he pleased; but how well this agreed with the King's Speech at the opening of the Parliament: That he had commanded his Brother to absent himself from him, because he would not leave malicious Men Room to say that he had removed all Causes, which could be pretended to inflame him to popish Councils, a little Time will shew; but before

before we take a View of the Duke of York's Actions in Scotland, it's fit to see how things were carried on in England, between the Dissolution of the Parliament, and the meeting of the next, or Third *Westminster-Parliament* of this Reign.

The King by Proclamation dissolved the Parliament upon the Twelfth of *July* 1676, and issued out Writs for the meeting of another the Seventeenth of *October* following; but like the usual Methods of other things in this Reign, when they met, he prorogued them to the Twenty Sixth of *January* following, and then prorogued them to the Fifth of *April* following, viz. 1680, and from thence to the next Seventeenth of *May*: And when they then met, he prorogued them to the First of *July*, and from thence to the Twenty First of *October*, when he graciously declared they should then sit; and now let's see what's doing in the mean while for the Discovery and suppressing the popish Plot.

To Humour the Court the Tory Party set their Wits on work to ridicule the popish Plot, and *Roger L'Estrange* as Pensioner of the Party, comes Weekly, or oftner out in Defiance of it, who is Party, Judge, Licencer, and Risler of the Press; whilst his Antagonist *Care* (who wrote *The Weekly Pacquet of Advice from Rome*, wherein he discovered the Frauds and Superstitions of that Court and Church) is not only thereupon arraigned, convicted, and sentenced, for printing *illicite*, or without Licence; but by an Order of the Court of *King's Bench*, it was ordained, That the Boook entitled *The Weekly Advice from the Church of Rome, or the History of Popery*, shall not from thenceforth be printed or published by any Person whatsoever.

Then a Design was set on Foot to throw the popish Plot upon the *Presbiterians*, by leaving Papers of a Plot in the Lodgings of the principal Persons, who were active in the Discovery of the popish Plot, and then to search their Houses, and prosecute them upon it, and these Papers to be given in Evidence against them. Mrs. *Cellier* was a principal Agent herein, and *Dangerfield*, as her Instrument, at first made an Attempt herein upon Colonel *Mansel*, who was prosecuted upon it, but the Examination of it was referred to Sir *William Jones*, then Attorney General, upon whose Report of it to the Council, they thereupon voted, *Colonel Mansel innocent, and Dangerfield guilty, and that this was a Design of the Papists to lay the Plot upon the Dissenters Charge, and a further Proof of the popish Plot.* But this was such a Crime in Sir *William Jones*, that he was soon after put out of his Place, and Sir *Robert Sawyer* put in, who would not venture the Loss of his Place for such another Report.

By this Time my Lord Chief Justice's Zeal, which he professed for Discovery of the popish Plot, was inverted into the quite contrary, and he was not of the Opinion of the Council: For after this *Dangerfield* procured his Pardon, and then discovered the whole Plot, which he printed; hereupon Mrs. *Cellier* was prosecuted and tried before my Lord Chief Justice *Scroggs*, upon the Eleventh of June 1680; and Mrs. *Cellier* excepting against *Dangerfield's* Evidence, he having his Pardon, the Case was sent to the Court of *Common Pleas*, for their Judgment upon it; who gave it that *Dangerfield's* Evidence was good; yet, let any Man read the Trial, and see how the Chief Justice rated and vilified him.

so as Mrs. *Cellier* was quit ; and after the Trial, committed *Dangerfield* to Prison, upon the Account there was a Defect in his Pardon, though it were not then before him, whether there was any Defect in his Pardon or not.

Then the popish Party set another Design on Foot, to suborn the Discoverers of the popish Plot, for which Mr. *Reading* was tried and committed, and also to suborn, detame and scandalize the King's Evidence in Discovery of the popish Plot : For which *Thomas Knox* and *John Lane* were convicted upon the Twenty Fifth of *November* 1679, and Mr. *John Tasborough* and *Ann Price* upon the Third of *February* following.

Another Step towards the Discovery of the popish Plot and Subversion of Popery, was to discharge those in Prison upon it ; and in Order to it, you may read in the Trial of Sir *George Wakeman*, *Corker*, and *Marshall*, what a Stress my Lord Chief Justice *Scroggs* put upon *Oates* his not accusing Sir *George Wakeman*, upon his Letter before the Council, when *Oates* was so tired, weak, and confounded with his other Evidence, that he was scarce able to stand ; and how the Chief Justice repeats this, and bids the Jury weigh it well, and not be amazed or affrighted at the Noise of Plots, and that Sir *George Wakeman's*, *Corker's* and *Marshall's* Blood lie at Stake, as did his and the Juries Souls, &c. And in my Lord of *Castlemain's* Trial, how he undervalued *Dangerfield's* Evidence, and told the Jury that Treason must be proved by two Witnesses, and if they doubted upon one, it was his Opinion, it was but a single Evidence.

These Prisoners thus discharged, the next Design to crown the Work, was to make a President, That no future Prosecution should be made for convicting *Roman Recusants*, and to that End, in *Trinity Term 1680*, before the Parliament met, the Chief Justice *Scrogs* discharged the great Inquest of *Oswaldston*, before they had given in their Presentments of several Bills of Indictments against the Duke of *York* and other *Roman Catholicks*.

I do not find, that in all these Transactions, the King made use of the Council, which he chose the Twentieth of *April 1679*, where my Lord *Shaftsbury* was President, and Sir *Henry Capel*, Sir *William Temple*, and many other noble Persons were Members of it, when he declared in Council, and Parliament, and to the whole Nation, *How sensible he was of the ill Posture of his Affairs, and the great Dissatisfaction and great Jealousies of his Subjects, whereby the Crown and Government, was become too weak to preserve itself, which proceeded from a single Ministry, and of private Advices; and therefore profess'd his Resolution to lay them wholly aside for the future, and to be advised by those able and worthy Persons whom he had then chosen for his Council; and by the frequent Advise of his Parliament in all his weighty Affairs: I do not find when he dissolved this Council, yet I am confident none of these things were done by their Advice: Yet this I find that none of these were present, when the King in Council, the Third of March 1679, declared against his Marriage with the Duke of Monmouth's Mother, and this was within the Year after the Twentieth of April 1679: How the Duke of York carried on the Design of the Discovery of the popish Plot, and endeavoured the Suppression of Po-*

pery in *Scotland* at this Time, is not yet ripe to be declared; but in this Posture things stood in *England* when the Parliament met the Twenty first of October 1680.

Upon the opening of the Parliament, the King told them, *The several Prorogations he had made, had been very advantageous to our Neighbours, and very useful to him; for he had imployed that Time in making and perfecting an Alliance with Spain, suitable to that which he had before with the States of the United Provinces, and they also had with Spain, consisting of mutual Obligations, of Succour and Defence.*

So then it was not for the Transactions aforesaid, and the sending the Duke of York high Commissioner into *Scotland*, which no doubt but the Parliament, if they had been sitting, would have boggled at, but for making and perfecting Alliances with the States of *Holland*; and if any such Alliances were making or made, what would the sitting of the Parliament have hindred them: I'm sure they might and would have advanced them.

It was in *November* 1677, that by the Agreement between the King and Prince of *Orange*, the French should deliver, up to the King of *Spain*, the Towns of *Aeth*, *Charleroy*, *Oudenard*, *Conrtray*, *Tournay*, *Valenciennes*, *St. Gillain*, and *Binch*: *Lorain* to the Duke, and the Towns which the French had taken in *Alsatia* to the Emperor, and in case of Refusal, within Two Days after by the French King, the King was to declare War against the French King and joyn with the Dutch States and Confederates to compel the French to it; and at the Prince's Departure promised him never to depart from the least Point of it.

It was not two Weeks before the King brake this Promise, and to amuse and raise a Jealousie among the *Confederates*, by Mr. *Thyn* (Sir *William Temple* refusing to have any Hand in it) about the latter End of *December* following, made a separate League with the *Dutch States* upon the Parliaments giving him 1200000 *l.* to enter into an actual War against *France*.

In *May* following, viz. 1678, the King took *French Money* to joyn with a Faction in *Holland*, to make a separate Peace with *France*, upon Delivery of Six of the Nine Towns to the *Spaniard*, whereof Two of the Three not to be delivered to the *Spaniard*, were *Tournay* and *Valenciennes*, worth all the rest, and the Duke of *Lorain* and the Emperor left loose and uncertain.

In *July* following, upon the *French* Refusal to deliver up these Six Towns to the *Spaniard*, the King would declare War against *France*, and joyn with the *Dutch* and the rest of the *Confederates* in it.

Hereupon Sir *William* was sent to the *Hague*, and in Six Days time concluded a League with the *States* that if within Fourteen Days after the Date of it *France* did not declare to evacuate these Six Towns, *Holland* engaged to proceed in the War against *France*, and Sir *William* sent over the Conditions to be ratified by the King.

During these Transactions in *Holland*, and it may be before the League came over to be ratified by the King, the King sent *Du Cros* with Instructions to Sir *William Temple* to remove from the *Hague* to *Nimwegen*, and to divulge that the King and the *French King* had absolutely agreed and consented to a Peace, and that he had brought Orders to Sir *William Temple*

to go straight to *Nimeguen*, where he should meet
 Letters from my Lord of *Sunderland* the King's
 Ambassador at *Paris*, with all the Particulars con-
 ded between them: The Fourteen Days for the
French Agreement to evacuate the Towns, running
 fast away in the mean time, that *Beuering* and his
 tion, upon the Last of the Fourteen Days, plead-
 a petty Necessity of hudling up that treacherous
 ace, which left *Christendom* to the Mercy of the
French.

Would not one think it strange now, that the
French and poor *Spaniard* should have such a mutual
 confidence in our King's Faith, and to trust to his
 mutual Obligations of Succour and Defence? Or
 that the King should be so staid in making this
 league, for it was above Eighteen Months after
 the Prorogation of the last Parliament, to the
 meeting of this, and above Fifteen Months from
 the Dissolution of it; and yet so hasty in all his other
 leagues.

After the Benefits which *Christendom*, as well as
England, may reap by these Alliances, if our Divisi-
 ons at home, do not make our Friendship less confi-
 derable, the King thought fit to renew all Assuran-
 ces that can be desired for Security of the Protestant
 Religion, which he is resolved to maintain against
 the Conspiracies of our Enemies: Can any Man who
 reads the Transactions, between the Prorogation of the
 last Parliament, and the meeting of this, force a Belief
 of this? And concur with any new Remedies, which
 shall be proposed, which may consist with preserv-
 ing the Succession of the Crown in its due and legal
 Course of Descent: That is, let the Wolf be Shepherd,
 and let the Sheep make what Laws they please for their
 preservation.

Was

Was it not known that the Duke of York was Jesuited Papist ; whose Maxims are *that no Faith is to be kept with Hereticks*, which he esteemed all others in England, but those of his own *Romish Faction* to be. Could the King believe that the Duke's Succession could be Security to the Protestant Religion (as the King calls it) which the Duke esteemed Heresie, and to be rooted out by Fire and Sword ? Or that any other but the Duke's Faction could be protected from him, when he esteemed them Hereticks, Schismatics, Church-Robbers, and no Christians ?

It's true, at this time the King of Portugal was made a Prisoner, to restrain him from his immoral and wicked Actions, whilst his Brother, in his imprisonment, acted as *Regent of Portugal* in his Brother's Name: But upon the Duke's Succession, he could not act as a *Regent*, when the King was not a Minor, but of full Age double, and at large, in the King's Name, and contrary to his Will and Pleasure, and this to consist with the Security of the Protestant Religion or Laws ?

In the Debates in the House of Commons, many expedients were propounded, how the established Government in Church and State could be preserved, and none could be found in case the Duke succeeded ; so the Country-party moved, that the Court-party would propound Expedients herein ; but either they could not, or had no Instructions from the Court to warrant such Expedients as they should propound.

But if the due and legal Descent of the Crown must be preserved, though to the Destruction of the Church and State ; they who advised the King to be so positive herein, should have done well to have declared

clared what Law in *England* declares the Descent of the Crown of *England*, or how this becomes due. I am sure the Act of the first of *Henry IV.* intailed the Crown upon the King and the Heirs of his Body ; and so did that of the first of *Henry VII.* before he married the Lady *Elizabeth*, *Edward the Fourth's* daughter ; and if *Henry the Seventh's* Title to the Crown had been good by inherent Birth-right, yet it had been an Usurper : For his Mother, under whom he claimed, lived all his Reign, and so she some time after *Henry VIII.* became King, as you may read in *Stow's History*, P. 487. and how the due and legal Succession of the Crown of *England* observed in the Reign of *Henry VIII.* when by his Will he might name what Successor he pleased, as has been said : Or in Queen *Elizabeth's* Reign, when it was in Parliament declared Treason to affirm the Parliament might not dispose of the Succession of the Crown in her Reign, and is a *Precedent* at this Day : And let any shew that ever there were Three Kings before these of the *Scottish Race*, the *Saxon*, *Danish*, or *Norman Race*, which succeeded successively by inherent Birth-right, I will submit that all I have said is not true, and you then must such a Stress be put for the preserving the Descent of the Crown in its due and legal course, without declaring what is that due and legal Course, and endanger the Subversion of the Church and State of *England*.

Then the King recommends to the Parliament, a strict Enquiry into the popish Plot, and that the Prisons in the Tower be brought to a speedy Trial, without which he did not think himself or the Parliament safe : The constant Vogue was, *That the King*

King dissolved the two last Parliaments to preserve Lords in the Tower from being brought to Tryal, and I am, and that you'll soon hear, that the King did believe his and the Nations Safety did consist in the Tower of the Lords in the Tower.

Then the King tells the Parliament what *Dam Tangier* was in, and what a vast Expence he must at to keep it: *And the commons last Parliament drew an Act to settle it upon the Imperial Crown of England and that they who did advise the King to part with Tangier to any forreign Prince or State, or were Instrument therein, ought to be accounted Enemies to the King and Kingdom; and what Care the King took to keep it, will soon appear, though 'twas said, the Parliament (I think it was out of the Chimney Bill) gave him 400000 l. per Annum towards the Preservation of it, to the Crown of England.*

The King goes on and says, *That above all Treasure in the World, which he was sure would give the Nation greater Strength both at home and abroad, than any Treasure can do, is a perfect Union among our selves; yet says not wherein we should unite. Truth and Unity are one, and consist in intire Parts; but Falsehood and Discord are infinite; what Truth or Unity could be in the King's loose and irregular Actions, so confounding and every Day varying from what he promised before. Or how is it possible for the Nation to unite under Terms which are inconsistent and impossible viz. Unite to preserve the Constitutions of the Kingdom, and yet be at Discord with the King, who they were morally certain would make it his Business to subvert them?*

If we should be so unhappy (the King says) to fall into such Misunderstanding among our selves as would render our Friendship unsafe to trust to,

will not be wondred at if our Allies shall begin to
 take new Resolutions, and perhaps such as may be
 fatal to us, and advised them not to gratifie our Ene-
 mies, and dishearten our Friends by any unreasona-
 ble Disputes, viz. to take all by an implicit Faith :
 he not understand what the King means by *Misunder-*
standing among our selves, which may render our Friend-
ship to our or his Allies unsafe ; nor does he say wherein
this Misunderstanding consists : I'm sure the Parliament
understood him, when they gave him 1200000 l. to
enter into an actual War against the French King, in
presence of these Allies ; and when he had got the Money,
make a separate Peace with a Faction of the Dutch, to
the Ruine of his Allies ; and take French Money for it ;
and to get the Parliament twice over to disband this Ar-
my, for fear he should turn it against them and the Nati-
on ; and now 'twas disbanded to give Money to raise ano-
ther, upon Pretence of assisting these Allies, now they
are forc'd to such a dishonourable Peace with the French,
that our Allies, as the Kings calls them, would ever
assist to any more of his Alliances.

If any should so happen (the King says) the
 World will see it is no Fault of his, for he had done
 all that was possible for him to do to keep us in
 Peace while he lived, and to leave us so when he
 died:

Can any Man believe the King believed himself here-
 tofore? Or that any Man will be his Voucher, so it. Even
 my Lord C. F. out of the Field of his Sweet lisping Elo-
 quence, could not gather one Rhetorical Flower to make a
 Flourish upon this Speech ; nor assure the Parliament up-
 on his Veracity, that Now, Now, was the Time to secure
 their Religion and Properties ; nay, the Commons gave
 so little Credit to this Speech, that they would not deign
 to debate it, or one Paragraph in it. Nei-

Neither the Bait of *Tangier*, or the King's making Alliances with the *Dutch* and *Spaniard* (if such were in his Ramble of Prorogations of this Parliament) would make the Commons give more Money : This Parliament met in a contrary Humour to that of the long Parliament, and that from contrary Causes ; for that Parliament adored him as their Deliverer from the Rage and Persecution of the late Times, whereas this Parliament met in Dread and Terror of the Nation at present, and were frighted at the Prospect of the Consequence of it after the King's Death.

The Commons heated by the Dissolutions of the two last Parliaments, when they were searching into the Discovery of the popish Plot ; and exasperated against the *Tories*, for ridiculing the popish Plot, and for abhorring petitioning the King to let the Parliament sit, in order to prosecute and secure the Nation against it, &c. proceeded in another Temper, I think than any other ever before ; and in Truth I do not desire the Prosecution of the Commons in the long Parliament in the first Ten Years against the Protestant Dissenters, and of the Commons of this Parliament against the *Tories*, should be taken for Precedents, by any Parliament in Time to come.

When Parliaments met annually, or at least frequently, I think a Complaint cannot be found against any Man for Breach of Privilege, but when there were long Intervals of Parliaments, from whence the Consequence resolved into long Sitting of Parliaments, which began in the Reign of *Henry VIII.* then the Inconvenience (I may say) of Privilege of Parliament first began ; nor do I find any before

re the later End of *Henry VIII*, nor does Mr. Pe-
 in his *Presidents from Arrests*, and other Privile-
 of Parliament-men, cite any before the Thirty
 uth of *Henry VIII*. in the Case of Mr. *George Fer-*
 , Burgeſſs for the Town of *Plimouth* being arre-
 d for Debt ; and this was taken for ſuch a No-
 ty, that he takes up near Seven Pages to recite
 e Proceedings of the Commons upon it ; and how
 e King being advertiſed thereof, called the Chan-
 our, the Judges, the Speaker of the Commons,
 d the graveſt Perſons of them, wherein he com-
 ended the Wiſdom of the Commons in maintain-
 g their Privileges (which he would not in any
 ot have infringed) and that the Privileges of
 rliament extend to the Servants of the Commons
 on Arrests, as well as to the Perſons of the Com-
 ons: It's worthy Obſervation with what Sobriety
 d Juſtice the Commons proceeded herein : They
 dered their Serjeant forthwith to repair to the
 mpter in *Breadſtreet*, wherein Mr. *Ferrers* was
 mitted, with his Mace to demand his Delivery,
 ich the Serjeant did to the Officers of the Comp-
 , who notwithstanding reſuſed to do it , and
 t and hurt ſome of the Serjeant's Officers, and
 ke his Mace; and during the Brawl, the Sheriffs
 London came in, who countenanced the Officers
 the Compter, and reſuſed to deliver Mr. *Ferrers*,
 d gave the Serjeant proud Language, and con-
 temptuouſly reſected his Meſſage : Hereupon the
 commons commanded the Serjeant to demand the
 riffs of *London* to deliver Mr. *Ferrers*, by ſhew-
 g them his Mace, which was his Warrant for ſo
 ng ; whereupon the Sheriffs delivered him accor-
 gly ; but then the Serjeant having further Com-
 mand

mand from the Commons, charged the Sheriffs appear personally on the Morrow by Eight of Clock, before the Speaker in the Nether House (of the Commons) to bring thither the Clerks of the Compter, and such other of their Officers, as were Parties in the Fray, and to take into Custody *White*, who had wittingly procured the said Arrest in Contempt of the Privilege of Parliament.

The next Day the Two Sheriffs, with one of the Clerks of the Compter; and the said *White* appeared in the Commons House, where the Speaker charging them with their Contempt and Misdemeanors they were compelled to make immediate Answer without being admitted to any Council, and in Conclusion, the *Sheriffs* and the said *White* were committed to the Tower, and the Clerk (which was the Occasion of the Fray) to a Place called *Little-Eden* and the Officer which did the Arrest, called *Taylor* with Four other Officers, to *Newgate*, where they remained from the Twenty Eighth to the Thirtieth First of *March*, and then were delivered at the humble Suit of the Mayor and their other Friends.

The next Breach of Privilege reported by *Peir*, Eight Years after, viz. the Fourth of *Edward VI*, by one *Withrington*, who made an Assault upon the Person of one *Brandling*, Burgefs of *New Castle*, but the Parliament drawing towards an End, the Commons sent *Withrington* to the Privy Council; but the Council would not meddle in it, and sent the Bill of Mr. *Brandling's* Complaint back again to the Commons, according to the ancient Custom of the House; whereupon the Bill was sent to the Lords from the Commons, who confest he began the Fray upon Mr. *Brandling*, upon which *Withrington*

was committed to the Tower, this was in the Year 1550.

Mr. Petit finds not another Breach of Privilege, till the Fourteenth of *Elizabeth*, Twenty one Years after, which was done by one *Arthur Hall*, for sundry lewd Speeches used as well in the Commons House, as abroad ; who was warned by the Serjeant to appear before the Bar of the Commons, to answer for the same, and upon his Speech, upon the humble Confession of his Folly, he was remitted, with a good Exhortation given him by the Speaker. Here I observe these Three Particulars.

1. *The Rarity of these Breaches of Privileges of Parliament in former Times.*

2. *The Justice of the Commons in their Proceedings of Breach of Privilege, to cite the Person or Persons to appear before them, to answer for themselves before the House passed any Censure upon them.*

3. *That in none of these Censures, they enjoined the delinquent to pay their Fees to their Serjeant, for the Serjeant is the King's Officer, and by the 26th. West. 1. no Officer of the King's shall take any Fee or Reward for his Office, but what he receives from the King, upon Penalty of rendering double to the Plaintiff, and be further punished at the Will of the King, and Sir Edward Coke in his first Inst. Lib. 3. Sect. 701. Tit. Exactioners, says, this was the ancient common Law, and the Penalties added by the Statute, and that though the Statutes since have allowed the King's Officers in these Cases to take Fees for executing their Offices ; yet no other can be taken but what such Statutes allow, and all Officers of the King, who take Fees otherwise, are guilty of Perjury ; I would know by what Law the Commons Serjeant takes his Fees, and how the Com-*

mons can absolve him from Perjury for taking such Fees.

Whereas in this Parliament rarely a Day passed wherein Men upon bare Suggestions and Absent were not judged, and Execution ordered for high Breaches and notorious Breaches of the Commons Privileges, yet most of these not foreknown, and ordered to be taken into Custody, though in *Northumberland and Yorkshire*; and rarely, I think, any of them were discharged without paying their Fees; but what Fees, was what the Serjeant pleased; nay the Commons out-run all which was even thought before: For upon *Tuesday* the Fourteenth of *December*, having voted one *Mr. Herbert Herring* to be taken into Custody, and *Mr. Herring* absconding from being taken, the House resolved, *That if he did not render himself by a certain Day, they would proceed against him by Bill in Parliament for endeavouring by absconding to avoid the Justice of the House.* Though I doubt, the Lords, in the Temper they were in, nor the King neither, would have passed such a Bill.

It was strange methought, that the Commons should be so zealous against any arbitrary Power of the King, and take such a Latitude to themselves which put me in mind of a Story I have heard of an old Usurer, who had a Nephew, who had got a Licence to preach, and the Uncle having never done any thing for his Nephew, he resolved to be revenged upon his Uncle in a Sermon which he would preach before his Uncle in the Parish where he lived, and made a most invective Sermon against Usurers and Usurers; and after the Sermon was done the Uncle thanked his Nephew for his good Sermon.

and gave him Two Twenty Shilling Pieces; the Nephew was confounded at this, and begg'd his Uncle's Pardon for what he had done, for he thought he had given him great Offence; No, said the Uncle, Nephew, go on and preach other Fools out of the Conceit of Usury, and I shall have the better Opportunity of putting out my Money.

Yet so zealous were the Commons against Popery and Arbitrary Power, that upon the Fifteenth of December they resolved that one Mean for the Suppression of Popery is, That a Bill be brought in, to banish immediately all considerable Papists out of the King's Dominions.

And that a Bill be brought in for an Association of all his Majesty's Protestant Subjects, for the Defence of his Majesty's Person, the Defence of the Protestant Religion, and for the Preservation of his Majesty's Protestant Subjects, against all Invasions and Oppositions whatsoever, and for preventing the Duke of York, or any other Papist from succeeding to the Crown.

And upon the Sixteenth of December the Commons read another Bill the first time, for exempting his Majesty's Protestant Subjects dissenting from the Church of England from the Penalties imposed upon the Papists, and upon the Eighteenth ordered a Bill to be brought in to unite his Majesty's Protestant Subjects.

In this Ferment of the Commons this Parliament, they ran counter to the Commons of the last Parliament, for then they chose Mr. Edward Scamor to be their Speaker, and when the King refused him, they were much disgusted; but in this Parliament the Commons, the Twenty Fifth of November, impeached him upon Four Articles, and a Motion was made for an Address to be made to remove him

from his Majesty's Council and Presence; and in the last Parliament the Commons would not proceed to the Trial of the popish Lords in the Tower, before the Lords should give their Judgment upon the Earl of *Danby's* Plea, whereas in this Parliament they proceeded to the Condemnation of my Lord *Stafford*, without taking any notice, that I can find, of having the Lords Judgment upon the Earl's Plea.

The Commons took care also to prosecute and impeach all those that countenanced the popish Plot or were Abhorrrers of petitioning the King for the meeting of the Parliament in the manifold Prorogations of it, and voted, *that it is, and ever hath been the undoubted Right of the Subjects of England to petition the King for the calling and sitting of Parliaments, and Redress of Grievances.*

And that to traduce such petitioning as a Violation of Duty, and to represent it to his Majesty, as tumultuous and seditious, is to betray the Liberty of the Subject and Contributes to the Design of subverting the ancient legal Constitutions of this Kingdom, and introducing Arbitrary Power.

The First that fell under these Votes was Sir *Francis Withens* (after made a Judge) a Member of the Commons, whom they voted to be a a Betrayer of the undoubted Rights of the Subjects of England and ordered him to be expelled the House for this high Crime, and to receive the Sentence at the Bar of the House kneeling, which he submitted to.

The next was Sir *George Jefferies*, then Recorder of the City, and ordered that an humble Address be made to the King to remove him out of all publick Offices, and that the Members which served for

the City, should communicate this Vote to the Court of Aldermen.

Upon this Account (though the Commons discriminated the Crime) they ordered Sir *Giles Phillips* and Mr. *Coleman* to be sent for into Custody of the Serjeant at Arms, for detesting and abhorring the petitioning for sitting of Parliament, and voted it a Breach of Privilege of Parliament ; the like the Commons did by Captain *William Castle*, Mr. *John Hutchinson*, and Mr. *Henry Walrond*, and Mr. *William Stavel*, and Mr. *Thomas Herbert*, Sir *Thomas Holt*, Serjeant at Law, and Mr. *Thomas Staples* : And because Sir *Francis North* (Chief Justice of the *Common Pleas*) advised, and was assisting in drawing a Proclamation against petitioning for the sitting of the Parliament : The Commons voted, *That it was a sufficient Ground for the House to proceed against him for high Crimes and Misdemeanors*. The like Vote passed against Sir *Thomas Jones*, one of the Judges of the *King's Bench*, and Sir *Richard Weston* one of the Barons of the *Exchequer* : I do not find these Votes went further ; but the Commons actually impeached Sir *William Scrogs* of high Treason, for discharging the Grand Jury of *Middlesex* before they had finished their Presentments ; and for the Order made in the *King's Bench*, against *Care's Pacquet of Advice from Rome, or the History of Popery*, that it should be no more printed or published by any Person whatsoever : I do not find the Articles particularly recited ; but they were ingrossed upon the Seventh of *January*, and the Impeachment carried up to the Lords by my Lord *Cavendish*, and received by the Lords.

Note, in this common Danger the Commons ordered Leave to bring in a Bill for a general Naturalization of all Protestant Aliens, giving them Liberty to exercise their Trades in all Corporations: Now it's time to see wherein the Lords and Commons did agree, and wherein they ran counter.

The Lords agreed with the Commons in repealing the Act of 35. Elizabeth, viz. for Payment of 20 l. per mensem for every Man who resorted not to his Parish Church, being so terrible a Law, that it lay dormant above Eighty Years, and in the Feuds between the Tories and Whigs, it was begun to be put in Execution; which the Commons apprehending would make a Breach so wide, as to let in Popery, which would make no Distinction between Dissenters and the Sons of the Church, they brought in a Bill for repealing the said Act of 35. Eliz. which passed the Commons upon the Twenty Sixth of November, and was sent up to the Lords who agreed to it.

As the Lords joyned with the Commons in passing this Repeal, so did the Commons joyn with the Lords in their Vote the Fourth of January, viz.

Resolved by the Lords Spiritual and Temporal in Parliament assembled, That they do declare that they are fully satisfied, that there now is, and for divers Years last past there hath been an horrid and treasonable Plot and Conspiracy contrived and carried on by those of the popish Religion in Ireland, for massacring the English and subverting the Protestant Religion, and overthrowing the established Government of that Kingdom. To which the Commons added, That the Duke of York being a Papist, and the Expectation that Party have of his coming to the Crown, hath given the greatest Encouragement

agement to the popish Plot, as well in Ireland as here.

But the Lords ran counter to the Commons in the Bill intituled *An Act for securing the Protestant Religion*, by disabling *James Duke of York* to inherit the Imperial Crown of *England*, and Dominions and Territories thereunto belonging; for after the Reading it the first time in the House of Lords, and the Question being put whether it should be read a second time, it was resolv'd in the Negative by above a double Majority of Votes.

If the Lords and Commons ran counter in some things, the King and Commons ran counter almost in every thing: The King's main End in calling this Parliament, was to get Money for the Preservation of *Tangier*, and in perfecting the Alliance he had made with *Spain*.

The Commons would not give any Money upon the Account of *Tangier* for three Reasons. One was for that as the State of the Nation stood, it might augment the Strength of the popish Party, and increase the Danger of the Nation. Another was, there were several Regiments besides the Guards in pay in *England*, which might be transported to *Tangier* with little Charge; and be maintained there as cheap as here: And the Third was, That that Garrison was the Nursery of popish Officers and Soldiers.

The Commons would not give Money for the pretended Alliances of mutual Obligations of Succour and Defence with *Spain* for Three Reasons.

1. The Jealousie they had of the King's Sincerity in this Alliance, and the more because the King did not declare to them what manner of Alliance this

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was;

was; and it might be more to the Prejudice than Benefit of this Kingdom; or if it should have been to the Benefit of the Kingdom, they could have had more Assurance of the Performance of it, than they had of the Triple League, that made with the Prince of *Orange*, or that made between the King and States of *Holland*, by Mr. *Thyn* on the King's Part, which were all broken almost as soon as made.

2. The Impossibility of any Benefit which could arise to *England* or *Spain* by such an Alliance: For in all *Christendom*, after the separate Peace which the King joyned with the *Dutch Faction* in, could not uphold *Spain* and the *Spanish Netherlands* from falling under the Dominion of the *French*; How could the King, in the feeble and distracted State of the Nation, be in a Condition to support it, without them?

3. The Unreasonableness of giving Money upon this Account; for though oftentimes the Kings of *England* have demanded Supplies for maintaining vast Wars; yet never any King of *England* before demanded Supplies for making Alliances, and never declare what such Alliances were.

But if any such mutual Alliances of Succour and Defence were made between our King and the King of *Spain*, I'm sure they were ill observed by the King; for Two Years after, viz. 1682, the *French* blocked up the City of *Luxemburg*; and the next Year took *Courtray* (one of the Six Towns delivered back to the *Spaniard*, by *Beverning's* separate Treaty from the *Confederates*) and keeps it to this Day, and so the *French King* does *Luxemburg*, which he took by plain Force from the *Spaniard* the next Year.

year after, viz. 1684. I wish I could find any
 normal Succour of Defence, the King gave the
 King of Spain in any of these, either by this Alliance,
 or as the King was Guarrantee in the Treaty of
 Aix La Chapelle, which in his Proclamation against
 the Dutch, in the Second Dutch War, he declared he
 would maintain.

Nor did the Commons only run counter to the
 King's Designs of getting Money, but considering
 the dangerous and weak State of the Kingdom, as
 well by its own intestine Discords, as by the Debt
 the King had contracted by shutting up the Exche-
 quer, and his squandring away almost all the anti-
 ent Revenues of the Crown; and to prevent the like
 upon the Revenue settled upon the King since his
 Restoration, upon the Seventh of January resolved.

1 That whosoever shall lend or cause to be lent, by
 way of Advance, any Money upon the Branches of the
 King's Revenue, arising by Customs, Excise, or
 Hearth-money, shall be adjudged a Hinderer of the Sit-
 tings of Parliaments, and be responsible for the same.

2. That whosoever shall accept or buy any Tally or
 Anticipation upon any Part of the King's Revenue;
 or whosoever shall pay such Tally hereafter to be struck,
 shall be adjudged to hinder the Sittings of Parliaments,
 and be responsible therefore in Parliament.

Now let's see wherein the King run counter to
 both Lords and Commons, after the Lords had
 agreed with the Commons in the Repeal of 35. Eliz.
 The Bill was taken from the Lords Table, and ne-
 ver heard of after, which no Man durst have done
 without the King's Command, at least Privy:
 wherein you may observe the Insincerity of the
 King's Indulgences, for dispensing with the penal
 Laws

Laws against Dissenters, when he nourished the Ends by them, which the Parliament dreaded ; and now the Parliament would have legally eased the Bill must be ravished away.

Here is a greater Wonder yet to be told of the Parliament, for notwithstanding all these Discords between the Lords and Commons, and the King and the Lords and Commons ; yet they all reconciled in making the Act against the Importation of *Irish Cattle*, &c. Perpetual, thereby to perpetuate the Discords between the Kingdoms of *England* and *Ireland*, as much as those between *Whig* and *Tory*: And in this Posture of Affairs the King prorogued the Parliament from the Seventh to the Tenth of *January* 1681, and upon the Eighteenth dissolved them.

This Dissolution caused a great Amazement in the Nation, but in some Measure to allay it, the King summons another to meet the Twenty First of *March* following at *Oxford* : This raised a Jealousy in the Nation and many of the Nobility, that there was some hidden Design nourished in the Court which might have dangerous Influences upon the Nation and the Parliament too.

Hereupon Sixteen of the Nobility petitioned the King against the meeting of the Parliament at *Oxford*, and my Lord of *Effex*, upon the Delivery of it made a short Speech, which I believe was not forgotten afterwards.

The Lords in their Petition set forth, That the King, by divers Speeches and Messages to both Houses of Parliament, declared to them the Danger which threatened his Person and the whole Kingdom, from the mischievous and wicked Plots of the Papists, and the sudden

Growth of a foreign Power, from which no Relief could be provided, unless by Parliament, and the King's Protestant Subjects.

That upon the Twenty First of March 1679, his Majesty having chosen a Council of many Honourable Persons, declared to the Parliament and whole Nation, being sensible of the Evil of a single Ministry and private Advice, for the future he would refer all things to that Council, with the frequent Advice of his great Council of Parliament.

That to their unspeakable Grief, that Parliament was after prorogued, and dissolved before it could perfect its intended Relief and Security to the Nation; and though another were called, yet they were not permitted to sit, till the Twenty first of October last, when his Majesty declared, That neither his Person nor the Kingdom could be safe till the Plot was gone through; and upon the Tenth of January following, it was prorogued, whereby all their pious Endeavours to save the Nation were overthrown, and the good Bills for uniting the Protestant Subjects brought to nought, the Discovery of the Irish Plot stifled, and the Witnesses to prove the same discouraged, whereby the Strength and Courage of our Enemies, both at home and abroad are increased, and our selves, and Country left in Danger to be lost and brought to Desolation.

That in these Extremities under God they had nothing to comfort them, but their Hopes of the Parliaments meeting at the Day to which they were prorogued. That not only failed by their Dissolution, but to call another at Oxford, where neither Lords or Commons can be in Safety, but exposed to the Swords of Papists and their Adherents, of whom too many were crept into his Majesty's Guards; the Liberty of speaking destroyed,

ed, and the Validity of their Acts left disputable : That the Straightness of the Place would not admit of the Course of People which follow the Parliament : That the Witnesses to give Evidence against the popish Lords and others would be put to great Charges which they cannot bear, nor trust themselves under the Protection of the Parliament, which its self is under the Power of Guards and Soldiers, and therefore pray that the Parliament meet and sit at Westminster : Sir W. I. adds another Reason, That the meeting of the Parliament at Oxford would have the Inconvenience of making use of the Journals of the Houses and other Records.

I do not find what Answer the King gave the Lords, but he expressed his Displeasure by a Frown and how loose soever he was in all his Promises to the Parliament, you'll see him steady in this of the Parliaments meeting at Oxford ; yet not forget the Lords which petitioned him, whereof the Duke of Monmouth, the Earls of Bedford, Essex, and Shaftsbury were Four ; but before we proceed to discover what was done in this short Interval between the Dissolution of this last Westminster-Parliament, and the meeting of that at Oxford, it will not be amiss to take the Resemblance which was between the Tories and Whigs at this time, with the Prerogative Men and Puritans during Laud's Regency in the Reign of King Charles the First.

In those times the prerogative and high flown Church-Men, however they were countenanced and preferred by the Court, yet of all Factions were the least considerable in the Nation, and had the least Interest in it, even less than the Papist ; and when they had by their Extravagances and tyrannical Dominion, given such a Reputation to the puritan Par-

as by Contradiction or Opposition of them
 be able to raise a War in the Nation ; they were
 not only less assisting the King in it, than the Pa-
 pists, but generally ran counter, and they and their
 sons joyned with the Puritan against the King : So
 that the King being assisted in the War by the No-
 bility and Gentry, who desired to preserve the
 Constitutions of the Church and State, and by the
 Papists : The Storm fell upon them without Distin-
 ction, so that these equally exasperated against the
 Actions, upon King *Charles's* Restoration, easily
 were reconciled to joyn against them ; and thus
 continued not only in the Body of the Nati-
 on, but in the Parliament, for the First Ten Years
 after the King's Restoration.

But then the popish Designs at Court beginning to
 appear almost barefaced, the Commons began to tack-
 about, but so did not the Lords, especially the
 Lords Spiritual, who could not forget the Injury
 done, not only to their Persons, but their whole
 Order, as well in throwing them out of the Lords
 House, as extirpating Episcopacy : And the King
 having multiplied a Nobility of his Favourites, these
 joyned with the Bishops (who yet maintain'd the
 King's absolute Power, under a new Title of *Passive-
 Obedience* to it) had a great Majority opposite to the
 Commons.

As *Laud's* Instruments had the Dominion of
 the Press, whereby they vented all their Spite
 against the Puritans, and persecuted them, if they
 made any Answer, so did the *Tories*, and as *Laud's*
 Faction stigmatized all others (except Papists) which
 were not of ther Faction, with the Name of *Puri-
 tans* ; so did the *Tories*, all other but Papists, with
 the

the Name of *Whigs*. But herein the *Tories* in the Reign, had a great Advantage above the prerogative Men in King *Charles* the First his Reign; this Prince was of a more parsimonious Nature, not at all becoming so great a Prince, and had not one Third of the Revenue which his Son had, who profusely scattered it amongst his Minions and Favourites; and sure it will set an ill Character upon his Memory, to have it left upon Record by what strange Ways to Honour and Justice, he made himself a Drudg to his Favourites to get Money from his Subjects to support them; whilst he became a Prisoner to the *French King* himself, and was so loose to all his Leagues which he made with all other Princes and States.

After the popish Plot broke out, and the King had dissolved the long Parliament, the whole Genius of the Nation became quite altered, as plainly appeared in their Election of the Commons in the two succeeding *Westminster-Parliaments*, who for their Quality, were equal to any House of Commons that ever was before, and the *Tories* have now as little an Interest in the Nation, as the prerogative Men had in King *Charles* the First's Reign in *Land's* Regency.

However the *Tories* were bank'd of the Expectation of their Pensions, by the Commons giving no Money in these two last Parliaments, yet they abated nothing of their Impudence in making all but themselves and the Papists to be *Whigs*, and that was now running back to Forty one, and into a Common-Wealth. In this Disguise, since the *Mea* Tub-plot had no better Success, one *Fitz-Harris* the Son of Sir *Edward Fitz-Harris* (both *Irish* and *Papists*)

Fitz-Harris sets up another like that of the Meal-Tub ;
 was carried on with higher Countenance ; for
 the Countess of *Powis* was the greatest concerned in
 it ; but you'll see a greater concerned in this ;
 though the Design was as dark as secret, and the
 discovery of it, by all Court Ways endeavoured to
 suppressed : So much as was suffered to come to
 light was.

Edward Fitz-Harris was the Son of Sir *Edward*
Fitz-Harris, who (it's said) was an Agent in the
 Rebellion, if not in the Massacre in 1642, and
Edward Fitz-Harris was a great Correspondent
 with the Dutcheß of *Portsmouth*, her woman, Mrs.
Widdell, and the Confessor of the *French Ambassador* :
 and the Dutcheß had several Times supplied *Fitz-*
Harris with Money, and at one Time with 250 l.

Fitz-Harris became acquainted with one *Everard*
 beyond Sea, where they were in the *French King's*
 service ; there was a strange Story of this *Everard*,
 after the King's Restoration, he was for about
 three Years kept in a dark Dungeon in the *Tower*,
 where 'twas said the Nails of his Fingers and Toes
 grew like the Talons of an Hawk ; but the Fact,
 in which he was committed, was as dark as was
Fitz-Harris's Design.

About the Beginning of *February*, after the Parli-
 ment was dissolved, *Fitz-Harris* renews his Ac-
 quaintance with *Everard*, and represented to him
 the Advantages he might have by forsaking the En-
 glish Interest, and ingratiating himself into the *French*
 and *Popish*.

Fitz-Harris told *Everard*, he might be serviceable
 to this Interest if he would make a Pamphlet, which
 might reflect upon the King, to alienate him from
 the

the People, and the People from the King: *Everard* said he would do any thing for his Interest, but did not understand this to be so; yet *Fitz-Harris* upon the Twenty First of *February*, gave him some Heads by Word of Mouth to draw such a Pamphlet.

Everard Acquaints several with what *Fitz-Harris* had said, and perswaded one Mr. *Smith*, in a concealed Manner, to hear the further discourse between *Fitz-Harris* and him: *Everard* also perswaded *William Waller* to be there in like Manner.

Upon the Twenty Second Mr. *Smith* came to the Place appointed, but Sir *William Waller* did not come there *Fitz-Harris* gave *Everard* Instructions, That the King and all the Royal Family must be traduced to be popishly and arbitrarily affected from the Beginning: That King *Charles* the First had a Hand in the *Irish Rebellion*; and that King *Charles* the Second did countenance the same by preferring *Fitz-Gerald*, *Fitz-Patrick*, and *Mont Garret*, who were in the *Irish Rebellion*: That the Act forbidding the calling the King a Papist, was to stop Peoples Mouths, when he should incline to further Popery, which appeared by his adhering so closely to the Duke of *York's* Interest, and hindring him from being proceeded against in Parliament, and hindring the Officers, put in by the Duke, to be cast out, and for that the privy Counsellors and Justices of Peace, which were for the Protestant Interest, were turned out of all Places of Trust, and that it was as much in the Peoples Power to depose a popish Possessor, as a popish Successor: and seeing there was no Hopes the Parliament when they should meet at *Oxford*, could do any good, the People were bound to provide for themselves.

After

After this *Everard* and *Fitz Harris* agreed to meet there the next Day, and in the mean time *Everard* sent a Letter to *Sir William Waller* to meet there, and concealed, to take notice of the Passages: *Sir William* came, and was secretly placed by *Everard*; but before *Sir William* was so placed, *Everard* gave him Two Copies of the Instructions which *Fitz Harris* gave *Everard* to draw up into a Libel, which *Sir William* marked.

Soon after *Fitz Harris* came and enquired of *Everard* what he had done, who answered, he had drawn Two Copies of the Business, and prayed *Fitz Harris* to see how he lik'd them; *Fitz Harris* alter'd one of them, yet thought it not full enough, but would have it fair wrote out for the *French Ambassador's* Confessor: After that *Everard* desired *Fitz Harris* to give him his Instructions in Writing, in which Paper *Fitz Harris* wrote, That it was in the Peoples Power to depose a popish Possessor as well as Successor, and other treasonable Heads: And next Day *Fitz Harris* came to *Everard* for a Copy fair written, which was delivered to *Fitz Harris*, who promised *Everard* a Recompence, which was to be the Entrance into the Business; but *Everard* should be brought into the Cabal, where several Protestants and Parliament-Men were to give an Account to the *French Ambassador* of what was transacted. But before *Fitz Harris* was to receive the Libel back, he was to go to my Lord *H—* of *Eschrisch*.

Before this *Fitz Harris* had received of the Dutch of *Portsmouth* 250 l. to bring my Lord *H—* to the King's Interest, Mrs *Wall* said, which *Fitz Harris* pursued so well, that my Lord waited several times upon the Dutchess, and found the King there,

and the Night before my Lord *Stafford's* Sentence *Fitz Harris* came to my Lord from the King, and told him that the King would take it as a great signification of my Lord to the King's Will and Pleasure, if the next day my Lord would go vote for my Lord *Stafford*.

This Design was to be carried on in the Name of the *Nonconformists*, and put upon them, and to be dispersed by the Penny-Post to the Protesting Lord and leading Men in the House of Commons, who were to be taken and searched, so soon as they received it: *Everard* said the Court had an Hand in it, and that the King had given *Fitz Harris* Money and would give him more if it had Success, and the King told Sheriff *Cornish* that *Fitz Harris* had Three Months before his Apprehension, been with the King and acquainted him that he was in Pursuit of a Plot which much related to his Majesty's Person and Government, which the King did countenance, and gave him some Money.

Sir William Waller acquainted the King with the Particulars he had taken, whilst he was concealed. The King thanked *Sir William*, and commanded Secretary *Jenkins* to issue out a Warrant for apprehending *Fitz Harris*, and *Sir William* to take care for the Execution of it.

But *Sir William* was no sooner gone, but *Sir William* said he was informed by two worthy Gentlemen that the King was highly offended with him, and the King said he had broken all his Measures, and that he would have him taken off one Way or other.

Sir William was as forward in taking *Fitz Harris* as before he was in discovering his Plot, and having

apprehended him, he was committed to Newgate, where he was examined by Sir Robert Cleyton, and Sheriff Cornish, to whom *Fitz Harris* declared his Willingness to discover the whole Design the next Day after; but *Fitz Harris* next Day was removed to the Tower, a close Prisoner, which was not done by Sir Thomas Goscoign, and the other popish Lords. Upon the Twenty First of *March* the Parliament met at *Oxford*, the Members of the Commons were generally the same as the last Parliament, and those which were not, were not of the same Kidney as the others were; so that they proceeded where the last Commons left, and sate but Seven Days, wherein they had these Four Considerations under their Debates; first the preparing a Bill against the Duke of *York's* Rebellion; the second the taking the Bill of the Repeal of the Act of 35 *Eliz.* out of the House of Lords; the third an Inquiry into *Fitz-Harris* his Business; the fourth a Prosecution against the impeached Lords in the Tower.

The Commons spent the Three first Days in choosing their Speaker, and confirming him, and in taking the Oaths as the Laws direct; so that it was Thursday the Twenty Fourth of *March* before they started upon any Business, and being dissolved upon the Monday following, they could make but little progress upon the Four Particulars aforesaid, and each of them was so green, that the Court would not endure much Enquiry into any one of them.

Upon the Debate of *Fitz Harris* his Business, one of the Members reported how that one *Hubert* had confessed that he had fired the City of *London*, upon which the House resolved to examine him next Morning, but before the House sate next Morning,

Hubert was hanged to prevent it, and they remembered there was a Design to have tried the pop^{ular} Lords in the *Tower* by Indictment, to prevent what the Commons exhibited general Impeachment against them, with that Success that the Lords were never tried upon Indictments, and the Judges gave their Opinions they could not.

Hereupon the Commons ordered an Impeachment of *Fitz-Harris*, upon *Friday* the Twenty Fifth of *March*, and ordered Sir *Lionel Jenkins* to carry up to the Lords, who at first refused it, saying, *By sending me upon this Message reflects upon my Master the King, and do what you will, I will not go.* Hereupon several moved to call him to the Bar, and several Speeches were made of his Offence, but at last he consented and carried up the Impeachment to the Lords but the Lords threw it out.

But the Lords having thrown out the Impeachment, the Commons, the next Day being *Saturday* the Twenty Sixth, run high in their Debates upon it: One said this was to have no further use of a Parliament, but to serve a present Purpose: Another said, Indictments were brought against the Lords in the *Tower*, yet that was no Impediment against the Impeachment in the Lords House; and the last Day of the last Sessions of Parliament, the Lords accepted an Impeachment of the Lord Chief Justice *Scroggs* and that this Denial of Justice by the Lords, was greater than my Lord chief Justice *Scroggs* Denial of taking Presentments from the Grand Inquest of *Middlesex*, how much the Commons of Parliament are the Grand Inquest of the Nation: Another said, this is a new Plot against the Protestants, of which *Fitz-Harris* is accused and the Commons impeach him, and the Lords say

will not bear it; and that if it were not for the
 ards, *Fitz-Harris* might have discovered all the Con-
 spiracy, and the Protestant Religion might have been sa-
 ved; and therefore moved, That the denying this Im-
 peachment, tends to the Subversion of the Constitution of
 Parliament, and of the Protestant Religion.

Another said, that this was a Confirmation of the
 design to murder the King, and the Duke consenting
 to destroy his own Brother and our King, and
 therefore moved, That if any Judge, Justice, or Ju-
 ror proceed upon *Fitz-Harris*, and he be found guilty,
 the House would declare them guilty of his Murder,
 and Betrayers of the Rights of the Commons of England:
 which was added, upon the Motion of Sir *W. Lort* that
 the inferior Court shall proceed, &c. which was passed.
 The Reason of these Votes were, that if *Fitz-
 Harris* were tried upon an Indictment, he must have
 been tried singly upon the Fact, whether he were
 guilty or not of contriving and dispersing the Libel,
 but upon an Impeachment the Commons might in-
 quire into the whole Conspiracy.

Sunday, *March 27*, the Houses sat not, and the
 next Day, *Munday 28*, in the Morning the King
 came suddenly and unexpectedly to the House of
 Peers, and sent for the Commons and dissolved the
 Parliament, and immediately took Coach and
 drove to *Windsor*, leaving both Houses in an Amaze,
 and the City of *Oxford* in a Hubbub.

If it were Sir *William Jones* who wrote the *Just and
 modest Vindication* of the two last Parliaments, viz.
 the last *Westminster*-Parliament, and this at *Oxford*,
 page 393. he says, the Peers at *Oxford* were so wholly
 ignorant of the Council, that they never thought of a Dis-
 solution, till they heard it pronounced; yet the Dutches

of *Mazarine* published the News at St. James's man
Hours before it was done.

If the Nation, as well as the Parliament and C
of *Oxford*, were amazed at this Dissolution a
Manner of it ; they were not less, with the Dec
ration which followed it, which though the Ki
did not communicate it to the Council till *Friday*
Eighth of April, yet the next Page says, *Monfieur*
Barillon, the *French Ambassador*, read it to a Gent
man upon the *Fifth of April* before, and demand
his Opinion of it, which the Ambassador might bette
remember, because of the great Liberty the Gent
man took in ridiculing it to his Face.

It's observable that that Declaration was print
in *French* as well as *English* ; and many *Gallicisms*
it, and particularly, *That it was a Matter extreme*
sensible to us, which was a Form of speaking peculiar
to the *French*, and unknown to any other Nation.

The Substance of the Declaration contained the
Dissatisfaction the King took at the Two *Westm*
ster-Parliaments, that they gave him no suitable Re
turn to support the Alliances which he had made for
the General Peace of *Christendom* ; nor for the
further Examination into the Plot ; nor for the Pre
servation of *Tangier* ; and for their Votes, *That*
Man should lend any Money upon any Branches of the
Revenue, or buy or pay any Tally of Anticipation upon
any Part of the King's Revenue. (This was not so, for
the Commons restrained them to the Custom, Excise, and
Chimney-Money given for other Ends ; see the Votes.
That they passed a Vote, *That the prosecuting of Pro*
testant Dissenters was a Grievance to the Subject, &c
By which they assumed to themselves a Power of
suspending Laws : So the Commons might do any other
Law

found by experience, to be grievous and dangerous to the Subject, and must do so in order to repeal such Acts; and did not the King do so twice before, by his Declarations of Indulgence, though to a contrary End to what the Commons intended?

That these Proceedings caused him to dissolve that Parliament and to assemble another at Oxford, who had Warning given them of the Errors of the former, and were required to make the Law of the Land their Rule, and adding that he could not depart from what he had formerly declared concerning the Succession, yet declared he was ready toarken to any Expedients, by which the Religion established might be preserved, yet the Monarchy preserved; viz. how to preserve Fire and Water mingled together; and was not the Monarchy of Scotland preserved, though his Grand-Father reigned Twenty Years in Scotland while his Mother was alive, without her; and continued after her Death.

That no Expedient would be entertained but a total Exclusion; nor could be, nor did the King ever propound any, how otherwise the established Religion might be preserved.

That the Business of Fitz-Harris was carried to that Extremity that there was no Hopes of a Reconciliation, &c. and put the Houses out of a Capacity of transacting Business: It was upon Friday the Twenty Sixth of March, the Commons sent up the Impeachment of Fitz-Harris, and there was but Saturday and Sunday between this and the Dissolution of the Parliament, and the Houses sate not on Sunday, so that the King's no Hopes (or indeed Fears) of a Reconciliation were very sudden; Why might not the Lords, if they had been permitted to have sate upon Con-

ferences with the Commons, and bearing their Reasons have altered their Resolutions, which is usual, and seems this Resolution of the Lords was very sudden, and admitted of no great Debate, to receive the Impeachment of Fitz-Harris, and the same Day to throw it out, which caused him to put an End to that Parliament.

However, the King says, that notwithstanding the Malice of ill Men, who laboured to perswade the People that he intended to lay aside the Use of Parliaments, he declared that no Irregularity in Parliament should make him out of Love with them, and that he was resolved to have frequent Parliaments (yet lived near Four Years after and never called another) and in the Intervals would use his utmost Endeavours to extirpate Popery, and redress the Grievances of his Subjects (the Truth of this will best appear hereafter.)

This Declaration, which carries the Title of his Majesty's Declaration to all his loving Subjects, was ordered to be read in all the Churches of England, but if the Matter of it were so surprizing and amazing to the Nation, the Manner of it was not less. For never any King of England before, as King, no, not this King's Father or Grand-Father, ever spake to his Subjects, but either personally in Parliament, or under the broad Seal of England: Whereas this Declaration is only signed Francis Gwyn, it might have been as well Edward Coleman, and the Subjects as much obliged to have taken notice of the one as the other.

And the Reason is twofold, one, That the Chancellor or Keeper is responsible if he puts the Seal to any Declaration or Proclamation not warranted by Law, and therefore my Lord Chancellour Finch's Sa-

in not putting the Seal to this Declaration, was
 apparent as his *Veracity*, which he would not expose
 seconding the King's Speech at the opening the last
Westminster-Parliament: And the other is to avoid all
 postures and Cheats, which might otherwise be im-
 posed upon the Nation, under the Name of the King.
 That we may take a better View of the rest
 of this King's Reign (if it be worthy to be cal-
 led so) it's fit to look into *Scotland*, and see
 what's doing there for the Discovery of the popish
 Plot; but it's fit to look a little back, and take notice
 that the King in his Speech at the opening of the
 second *Westminster-Parliament* told them, that to take
 away all room for any Jealousie of his not prosecu-
 ing the Discovery of the popish Plot, he had sent his
 Ambassador beyond Sea; but having, by the Duke of
Burnmouth, wholly suppressed the *Kirk-Party* in *Scot-*
land, he fairly sends for the Duke of *York* back again,
 and from an Exile made him Vice-Roy or Regent of
Scotland, where all things lay open for him to prose-
 cute his Designs as he pleased.

When the Duke came into *Scotland*, the Earl of
Argyle was one of the first that waited upon him:
 the Earl's Story will better appear, if first you
 take his Character.

He was the Son of the Earl of *Argyle*, after made
 Marquess by King *Charles* the first, who so prefer-
 red him, to take him off from heading the *Kirk-*
Party, and thereby to oblige him to become one of
 the King's, which had no Effect, for the Marquess,
 above any other of the *Scottish Nobility*, was a most
 valiant assertor of the *Kirk's-Power*, and was the
 head of them when *Montrose* took up Arms against
 them; but though the Marquess was most unfortu-
 nate

nate in it, yet it no ways abated his Zeal to the Kirk, nor was he less esteemed by them.

When *Cromwell* had overthrown Duke *Hamilton* and taken him Prisoner, who came into England not to establish the National League and Covenant but to deliver King *Charles* out of Prison: The zealous *Kirk-Party* were highly offended at it, and the Marquess of *Argyle* was a principal Agent to bring *Cromwell* into Scotland to suppress the *Hamiltonian Faction*, and to establish the *Kirk*; which *Cromwell* then did (though he undid it soon after) and for this the Marquess was, the first Year after the King's Restoration, condemned and executed for high Treason, upon which he lost all his Honours as well as his Estate.

But in all the Marquess's Actions, his Son, Lord *Lorn* run counter to him, and when this King *Charles* was in Scotland, he was of all others, the most obsequious to him; and afterward, when *Montrose* made some Incursions into Scotland for the King, *Lorn* was most assisting in it: Hereupon, after the Marquess was attainted and executed, King *Charles* restored his Son to all his Father's Estate and Honours except that of Marquess.

Afterward the Earl of *Argyle* continued constant in his Integrity to the King in all his civil Affairs and was most zealous and forward in suppressing Tumults and Field Conventicles, so that before Duke *Hamilton* came into Scotland, the King had so intire Confidence in the Earl, that he gloried, that in Thirty Years (which must be computed from the King's going into Scotland in 1650,) he never received one Frown from the King; how he should become such a perjured Traitor after the Duke

Commis

coming into *Scotland*, is now to be enquired

The Earl of *Argyle* was one of the Lords of the Articles, and by the Duke made one of the Committee for the Articles of Religion, which, by the Custom of *Scotland*, and by the King's Instructions, was to be the first thing treated of.

In this Committee, an Act was prepared for securing the Protestant Religion, which approved the Profession of Faith; and also the Act containing the Coronation-Oath, to be taken by all the Kings and Regents of *Scotland*, before their Entry to exercise their Government.

This Act, as drawn, was less binding to the Successor of the Crown, as to his own Profession; yet oblige as strongly the Maintenance of the Protestant Religion in the publick Profession by all others, before; and added a Test to be taken by all in publick Employments, to exclude the popish Party out of them: And because in case of a popish Successor, all Fines and Forfeitures by Papists, would be insignificant, viz. remitted: This intended Act did ordain, That such Fines and Forfeitures, one half should be to the Informers, the other to charitable Uses.

But this Act being so contrary to the Duke's Design, the Committee of Religion was discharged from ever meeting again; and another short Act was brought into Parliament, ratifying all former Acts for securing the Protestant Religion: So that in this First Act, the Duke pursued not his Instructions, but went contrary to them, and to the Custom of *Scotland*.

At the passing this Act, the Earl of *Argyle* proposed that all Acts against Popery might be added, which was opposed by the King's Advocate, and some of the Clergy; yet seconded by Sir *George Lockhart*, and the President of the Sessions; it passed without a Vote; but such was the Jealousie of the Parliament, that this did not secure the established Religion, that several of the Members desired other Additions and Acts, which the Duke in open Parliament promised when Time and Opportunity offered, should pass, but when at any Time this was proposed, the Test was obtruded.

If the Parliament were so zealous to secure the established Religion, the Duke was not less to secure the Succession of the Crown of *Scotland* shrewdly struck at in *England*, in the very Person of the Duke; and to that End a Bill was brought and passed, wherein it was declared high Treason to affirm that the Succession of the Crown of *Scotland* can be altered from the next of Proximity of Blood; but how agreeable this was to the Title of the *Bruces* and *Stuarts*, who had no Title to the Succession of the Crown of *Scotland* but by Act of Parliament has been already shewed; and how disagreeable this Act was to the Duke's Grandfather's Succession to the Crown of *Scotland*, without an Act of Parliament, let any Man judge.

This Act was not only thus contrary to the Laws and Usages of *Scotland*, but the Act is equivocal, if not contradictory to the Duke's Design: For there is a Difference between the next Heir and the next in Proximity of Blood: As if a Man has several Sons, and the eldest has a Son or Daughter, and dies, his Father living, and after his Father dies

Eldest Son's Son is his Heir, and his other Sons and Daughters are next in Proximity of Blood : The heir being a Degree in Blood further removed from the common Ancestor, than his Uncles or Aunts ; and this was the Case of *Richard II. of England*, the Son of the black Prince, *Edward the Third's* eldest Son, who succeeded to the Crown of *England*, though his Uncles, the Dukes of *Clarence*, *Lancaster*, *York* and *Cambridge* were nearer of Blood to *Edward the Third*.

This Act for the Succession of the Crown of Scotland was succeeded by another called the *Test*, as contradictory to its self, as contrary to the Act of Succession, to be taken by all Persons in publick Trust in *Scotland*, wherein they solemnly swear, in the Presence of the eternal God, whom they invoke as Judge and Witness of their sincere Intention of this their Oath ;

That they own and profess the true Protestant Religion maintained in the Confession of Faith, recorded in the first Parliament of King James the Sixth, and believe the same to be founded on and agreeable to the written Word of God : That they will adhere thereto, and endeavour to educate their Children therein, and never consent to any Change or Alteration contrary thereto : and renounce all Popish and Fanatical Doctrines inconsistent with the said Protestant Religion and Confession of Faith : and by this their solemn Oath they swear, That King Charles the Second is the only supreme Governour of this Realm, over all Persons, and in all Causes, as well ecclesiastical as civil ; and renounce all forreign Jurisdiction of the Pope, or any other Person : And promise to bear true Faith and Allegiance to the King, his Heirs and lawful Successors, and to their Power, to defend all their Rights and Prerogatives ;

gatives; and by this their solemn Oath they swear
They judge it unlawful for Subjects, upon Pretence of Reformation, or any Pretence whatsoever, to enter into any Covenants or Leagues, or to convene, &c. in any Council to treat of any Matter of State ecclesiastical or civil, without his Majesty's Special Command, or express Licence; or to take up Arms against the King, or those commissioned by him: That they will never rise in Arms, or enter into such Covenants or Assemblies: That there lies no Obligation upon them by the National Covenant, or the solemn League or Covenant, or any other Way to endeavour any Change or Alteration of the Government, either of Church or State as now established. And promise and swear to the utmost of their Power, to maintain the King's Jurisdiction against all deadly and as they shall answer it before God: And that they take this Oath in the plain and genuine Sense and Meaning of the Words, without any Equivocation, mental Reservation, or Evasion, and never to accept of any Dispensation from any Creature. So God help them.

By these Two Acts you may observe the Scottish Temper (whether 'twere natural, or in Contradiction to the Kirk-Party, I will not say how much higher it flew above that of the Tory in England) but because of the Extraordinariness of these Two Acts it's fit to make some Reflexions upon them; such another Law as that of the Succession, was made the Twenty First of Richard the Second, in the Case of Roger Mortimer, which lasted not longer than the next Year after, when the Law was not only repealed, but Henry the Fourth succeed contrary to it: whereas this Law continued for about Eight Years after, when it not only lost its Force, but another Face appeared in Scotland, and so continues in spight of

is Law. Now from this treasonable Law let us
 make some Remarks upon this ranting, swearing
 now, called the *Test*.

We have said elsewhere, that all Oaths are asser-
 tory of the Truth of things, Speech and Actions in
 Time past, or promissory to do or forbear to do
 some Act in Time to come; and now let's consider
 what is Truth, and the End of an assertory Oath:

Truth is proper to intellectual and reasonable
 creatures; and is either the Apprehension of intelli-
 gible Beings, as *God, a Law, the Soul, Time,
 &c. which can never be the Objects of Sense, and of
 the Causes and Consequences of Intentions, Speech
 and Action, which can never be the Objects of Sense,
 for Sense is not of Futurity, but of present things
 and Actions; the Consequence or Inference will be
 either good or bad, just or unjust, &c. How-
 ever all intelligible Beings, and the Causes of things
 and Actions are ever assumed, not sworn to; and if
 another does not, nor will assent to them, swearing
 to the Truth of them, will be to no Purpose: So it
 is of the Consequence of Speech and Actions, if an-
 other be not convinced from the Reason of such
 Consequence or Inference, swearing it to be so, will
 never do it.

But though sensible things, Speech and Actions,
 are perceived by the Senses, and understood to exist
 to be, yet these are known to be by some, and not
 by others; and in Justice and Judgment, the End of an
 assertory Oath is to inform the Judge of the Truth
 of what a Man knows, which otherwise might be
 concealed; and here I say, that as God's Name in
 Religion, Piety and justice, is to be invoked, when
 it is not in vain, but for God's Honour; so other-
 wise

wise to use or abuse his sacred Name in vain, is dishonourable to God, and makes it vile and contemptible: Now let's see how the ranting swearing this *Test* agrees with the Religion and Obligation of an Oath, and observe it in its Particulars or Confusion. It begins,

I solemnly swear in the Presence of the eternal God whom I invoke as Judge and Witness of this my sincere Intention of this my oath; that I own and profess the true Protestant Religion contained in the Confession of Faith recorded in the First Year of King James the Sixth.

So that here is a most horrible swearing, and Invocation of God's sacred Name; and yet neither an assertory nor promissory Oath; for an assertory Oath is of some Act or Speech in time past, which was transacted and not when the Oath was taken; and a promissory Oath is of time to come, whereas in this Oath the Taker swears in the present time he does own the Protestant Religion recorded in the Confession of Faith in the first Year of King *James* the Sixth. I believe there is such a Record, intitled *The Confession of Faith*, in the First Year of King *James* the Sixth, because *Sporiswood* and other *Scottish* Authors say so. But to swear by the eternal God, that it contains the true Protestant Religion (when the Name is not in it) is such an implicit Faith as can scarce be found in the most superstitious in the Church of *Rome*: Christian Faith is a Belief of God's Revelations in the Scriptures; to which if any add or diminish, his Name shall be blotted out of the Book of Life, *Revelation* 22. 18, 19. But where the *Scots* found their Confession of Faith in the First Year of King *James*, *Knox* nowhere tells, though he was the Founder of it.

And I believe the same to be agreeable to the written Word of God.

But what need you swear by the eternal God you so; if you demonstrate or give the Reason of your Belief; which you do not, this might convince another, which your swearing never will.

That I will adhere thereto, and endeavour to educate Children therein.

The more obstinate Man you, and so much the worse for your Children.

And never consent to any Change or Alterations there-

This might have been left out, for if you adhere to it, you cannot consent to any Change or Alteration.

And renounce all Popish and Fanatical Doctrines inconsistent with the said Protestant Religion and Confession of Faith.

I take a Renunciation to be a Disclaimer of what is before; so that if you renounce all popish and fanatical Doctrines, &c. it seems before you owned them: Yet you neither tell what these popish and fanatical Doctrines are, or wherein they are inconsistent with the protestant Religion and Confession of Faith; or how you come to know so; and if you do not, it ill becomes you to prostitute God's sacred Name to swear to what you do not know.

And by this my solemn Oath, I swear that King Charles the Second is the only Supreme Governour of this Realm, over all Persons, and in all Causes, as well ecclesiastical as civil.

By which of your Senses do you know this, by your seeing, smelling, touching or tasting? Or if told by another having told you so, will you swear

to whatever another tells you ? Or if another should tell you that King *Charles* the Second is not the one supreme Governour, &c. will you swear by the eternal God he is not so ? Or if King *Charles* should be dead when you are swearing this, which he may be for ought you know, how long will you hold this Mind ?

And that I renounce (what, again ?) all foreign Jurisdiction of the Pope or any other Person.

If I cannot take your Word, I'll not think it better of it for your swearing to it.

And promise to bear true Faith and Allegiance to the King, his Heirs and lawful Successors.

'Tis well if you hold long in this Mind ; but before you renounced all foreign Jurisdiction of the Pope ; suppose (and be not affrighted at it) King *Charles* the Second, and his lawful Successor, should now be contriving the bringing in this foreign Jurisdiction ; how by the eternal God, would you bear Faith and Allegiance to them herein ?

And to my Power, defend all their Rights and Prerogatives, &c.

Yet you neither declare what these Rights and Prerogatives are, which you swear to defend ; and Twenty to one you do not know these Rights and Prerogatives, and so you solemnly swear to defend what you know not what ; or suppose the King and his lawful Successor should say it was one of their Prerogatives to bring in the papal Jurisdiction ; how would that consist with your solemn Faith and Allegiance to the King and his lawful Successors, and your renouncing all foreign Jurisdiction ?

And I judge it unlawful for Subjects, upon Pretence of Reformation, or any Pretence whatsoever, to enter

any Covenants or Leagues, or to convene, &c. in any Council, to treat of any Matter ecclesiastical or civil, without his Majesty's special Command, and express Licence, or to take up Arms against the King, or those commissioned by him.

So that here you judge without any Reason of your Judgment, and must have your Judgment pass for currant because you sware to it; and at this rate you may swear and judge as you please; and there never before was ever Religion or Judgment established upon such Foundations.

That I will never rise in Arms, or enter into such Covenants or Assemblies.

For all your swearing to this, yet I believe my Lord Commissioner will not trust to your Oath, and rather because you were so loose to it in observing your solemn League and Covenant, which you sware with as fervent Affection, as you now seem to do to this, and with Hands and Heart lifted up to the most high God.

That there lies no Obligation upon me by the National Covenant, or solemn League and Covenant, or any other way to endeavour any Change or Alteration of Government, either in Church or State as now established.

Does there lie no Obligation upon you by the solemn League and Covenant, &c. to endeavour any Change or alteration in Church or State; why, you solemnly sware that as this; and by that you sware to extirpate Prelacy, and here you swear never to endeavour any Change of it? Or do you think you please his Highness, my Lord Commissioner therein, whose Business it is, not only to make Alterations, but to subvert your Church and State? And if you will make no Alterations in either, it

will not be long before you shall see Alterations made in both without you.

And I promise and swear to maintain the King's Jurisdictions against all deadly ; as I shall answer it before God.

Why this again ? For before you swear to maintain all the King's *Rights and Prerogatives*, and what does the King's *Jurisdiction* add to them ? However you are very prodigal of your swearing, and if his Highness will not believe you for your swearing before, you'll try how far he'll believe you now.

And that I take this Oath in the plain and genuine Sense and Meaning of the Words, without any Equivocation, mental Reservation, or Evasion, and never to accept of any Dispensation from any Creature. So God help me.

This is well sworn to interpret your Truth and Sincerity, especially when the whole Oath is Confusion, Equivocation, or Contradiction, and not one plain and intelligible Sentence in it.

In the Debates in Parliament for passing this *Test*, the Earl of *Argyle* declared his Opinion, That a few Oaths as could be, should be imposed ; and that the Oath of Allegiance and Declaration had effectually debarred all Fanaticks from getting into Places and Trust, and though some Papists had swallowed the Oath, yet a Word or two of Addition to guard against them, was all he judged necessary.

The Earl opposed the dispensing with the King's Sons and Brother's taking the *Test*, for that the King and People were of one Religion, and hoped the Parliament would do nothing to loose what was fast, nor open a Gap for the royal Family to differ in Religion ; for their Example, if it once appeared

to the People to be honourable, would have more followers, than a Thousand others would do, and therefore wished if any Exception were, it might be particular to his Highness; which the Duke opposing, the Earl concluded, if it did pass, it would do more hurt to the protestant Religion, then all the rest of the Act, and many other Acts would do good.

This Plainness of the Earl was the Cause of all that befell him, as he was afterwards told by the Bishop of *Edenburg*; but the First Appearance of the Duke's Displeasure, was Two Bills given in against him, one by the Earl of *Errol*, the other by the King's Advocate, who acknowledged it to be done by Commandment, otherwise it was without his Line: These struck at the Earl's Estate and Honours, only that of *Errol* was, that the *Earl's* Estate might be liable to pay him and others for the Debts contracted by his Father: The Advocate's Claim was to all his heritable Offices.

But the Duke being informed, that a Judgment in this Case, would have exposed the Marquess of *Huntley's* Estate (who was a zealous Papist) the Duke of his own Accord put a full Stop to it; for he found, he said, it did plainly impugn the King's Prerogative, and might be of ill Consequence.

After this the Parliament was adjourned, and a new Design was to get a Commission from the King, to review all the Earl's Rights and heritable Offices, and to charge his Estate for more than 'twas worth: Hereupon the Earl applied himself to the Duke, against such a Commission, and intreated him, that if any Quarrelled his Right, that his Case might be remitted to the ordinary Judicatories

according to the established Laws of the Land ; but this was not granted, yet the Duke was pleased to allow the Earl Time to go into the Country to bring his Evidence, with a Promise no Commission should pass till the Earl's Return ; but you'll see something more than the Earl's Estate was designed.

For the Earl was no sooner gone, but he and the President of the Sessions were turned out of it: Hereupon the Earl wrote to the Earl of *Murray*, the King's Secretary, praying Leave to wait upon the King, which he was pleased readily to grant ; and upon his Return to *Edenburg*, begg'd the same Favour of the Duke, who told him he might not kiss the King's Hand till he had taken the *Test*.

Here you may observe, the *Test* was not to be taken by any but those who bare Office, nor to be imposed upon any before the First of *January* 1680, and this was about the Beginning of *November* before, and the Earl being acquainted that one of the Clerks of the Council was appointed to summon the Earl to the Council the next Day, which he conceived to be to take the *Test*, he asked the Duke if, with his Favour, he might not have the allowance by the Act, the Duke told him no ; and the Earl urged it again in vain ; all the Delay he could obtain, was but till *Thursday* the Third of *November*, the next Council-Day of Course : Then the Earl said, he was the less fond of the *Test* because he found some who had refused it, were still in Favour, and others, as the Register, who had taken it, were turned out, at which his *Highness* laugh'd. But how comes your Highness, said the Earl, to press the *Test* so hastily ? Sure there are some things in it which

which your Highness does not overmuch like ; to which the Duke answered angrily and in a Passion, most true, that the Test was brought into Parliament *without the Confession of Faith* ; but the late President caused put in the *Confession*, which makes it such as *no honest Man can take it* (which is a greater Contravention and depraving the Test, then the perjury and Treason charged upon the Earl for them) then the Earl replied he had the more Reason to advise.

In this Interval the Earl spake with the Bishop of *Edenburg*, and saw his Explanation of the Test, and that of the Bishop of *Aberdeen*, and the Synods Explanation of the Test, and the Explanation of it by the Synod and Clergy of *Perth* ; and that of the Earl of *Queensberries*, which as they all differ from one another ; so were they printed and made publick, and which you may read at large in the Earl of *Archiepiscopal*'s Case.

It's observable, that though by the Test, they swear the Confession of Faith, recorded in the First of King *James the Sixth*, *To be founded upon and agreeable to the Word of God, and that they will never consent to any Change or Alteration thereto, and at last swear they take it in the plain and genuine Sense and Meaning of the Words without any Equivocation*, yet the Bishop of *Aberdeen*, and the Synod in the Second Article of their Explanation say, *We do not hereby prejudge the Churches Right to, and Power of making any Alteration in the said Confession, as to the Ambiguity and obscure Expressions thereof, or of making a more unexceptionable Frame* ; and having made several other Exceptions ; the Sixth Article concludes, *When we swear that we take the Test in the plain*

and genuine Sense of the Words, &c. We understand it only so far as it does not contradict these Exceptions.

And the Synod of *Perth* make Four explanatory Exceptions to the Test, and the Fifth concludes when we swear in the genuine and literal Sense we understand it so far as the Test is not opposite or contradictory to the fore said Exceptions; and before they subscribed this, they were allowed to insert after the Oath, *We underwritten, do take this Oath, according to the Explanation made by the Council, approved by his Majesty's Letter, and do declare we are no further bound by it.*

Thus things stood with others, when the Earl of *Argyle*, upon *Wednesday* the Second of *November* waited upon the Duke, and humbly besought him to decline his present taking of the Test, but if his Highness would have a present Answer, he begged that he would accept of the Earl's refusing it in private, which the Duke denied; then the Earl desired he might go home and consider, and he would either give Satisfaction, or the Time prescribed by the Act of Parliament would elaps, and then he would go off in Course and without Noise, which the Duke absolutely refused; upon which the Earl asked what good his appearing in Council to refuse (I think it should have been *reside*) there would do to which the Duke answered, he need not appear but imploy some Friend to speak for him, and named one.

Hereupon the Earl drew a Letter to the Person the Duke named, wherein he exprest his constant Resolution to continue a true Protestant and loyal Subject, which were the true Ends of the Test; but the Letter

after concluding a Delay of taking the Test which no honest Man, the Duke said, could do) and the Duke having given some Indication how little pleasing that Office would be to him, neither the person named by the Duke, nor any Friend of the Earl's, would by any means accept of it.

But the Earl being advised that an Explanation of the Test would be more acceptable, the Earl drew forth one and put it into his Pocket, but would not shew it till he knew the Duke's pleasure ; and being told by the Bishop of *Edenburg*, it would be very readily accepted, the Earl went into the Council-chamber, and with an audible Voice, read his Explanation of his taking the Test, close by the Duke, whereupon it was administred to him, which the Duke accepted with a Smile, and commanded him to take his Place, which at that Time was next to the Duke, and the Duke spake several times privately to him, and always pleasantly: However the Earl was so cautious, that after he had made his Explanation of the Test in Council, he would not communicate it to any other.

The Earl's Explanation was, *I have considered the Test, and I am desirous to give Obedience as far as I can, I am confident the Parliament never intended any contrary Oaths, therefore I think no Man can explain it for himself; accordingly I take it as far as it is consistent with its self, and the Protestant Religion: And I declare that I mean not to bind up my self in my Station, and in a lawful Way, to wish and endeavour in a lawful Way, any Alteration I think to the Advantage of the Church and State, not repugnant to the Protestant Religion and my Loyalty, and this I understand as Part of my Oath.*

And

And as the Earl was so cautious in not communicating his Explanation of the Test, so was it new so much as charged upon him that he ever disparaged the Test, or dissuaded any other from taking it : However this must be the grand Work for him and only his Destruction ; for as was said, many others had explained their taking the Test, more more contradictory than the Earl had done, and printed and published their Explanation.

Next Morning the Earl waited upon the Duke expecting his Yesterdays Countenance, and beginning to speak, the Duke interrupted him, and said he was not pleased with his Explanation ; the Earl answered he did not give it till the Duke allowed him ; the Duke acknowledged the Bishop of *Edinburgh* had told him, that he intended an Explanation but the Duke said, he thought it would have been short one, such as the Earl of *Queensberry's* ; to which the Earl answered he heard what he said, and that the Earl said the same thing in private to him and then he seemed satisfied ; and the Earl going on to say more, the Duke interrupted him, saying, *It's past with you, but it shall pass so with no other.*

The next Day after, the Earl was summoned again to the Council, to take the Test, as one of the Lords of the Treasury, and an extraordinary Council was held at the Abbey : Where, so soon as they were met, the Test was tendred to the Earl, saying as before, when The Earl of *Roxburgh* standing behind the Duke, and never heard to speak in Council before, with Clamour asked what the Earl of *Argyle* had said, which the Duke told him ; upon which *Roxburgh* desired that what the Earl had said the Day before, might be repeated, which at first he declined,

he was peremptorily commanded by the Duke ;
 Earl then said he had a Note of what he had said
 in his Pocket, which the Duke commanded him to
 produce, which he did, and was willing to sign it ;
 the new Lord President (now made Chancellour)
 the new made Register, did not agree whether
 Earl should then sign it, the Treason not ap-
 pearing, as when they talked of it in private : So
 Earl was bid to withdraw, and when he was cal-
 led for in, he was positively required to sign the Pa-
 per he had given in ; to which the Earl answered,
 if the Words did please them, as when they
 were given in he would ; but if there were the least
 shadow of Displeasure in them, he would forbear ;
 upon he was removed, and being called in, he
 told he had not given the Satisfaction required
 by the Act of Parliament in taking the *Test*, and
 therefore could not sit in Council ; to which the Earl
 answered, that he judged all the Parliament meant, was
 to exclude the refusers of the takers of the *Test* from
 all Places, to which he submitted, and that as he
 served his Majesty faithfully within doors, so he
 was resolved to do without doors, and so made his
 excuse and went out ; but now the Earl saw his
 Estate, Life and Honour were struck at, he commu-
 nicated these Secrets to some for his own Vindica-

Upon *Saturday* the Fifth of *November*, the Earl
 returned upon the Duke again, and told him he was
 extremely surprized that the saying *he could not bind*
himself in a lawful Way, &c. as contained in the
 Paper was looked upon as a Crime, whereas
 he had said the same to him before without any Of-
 fence, and that the Duke then said *they were unneces-*
sary

sary Words, that the Earl scrupled needlessly, and that he was not tied up by that Oath, as he imagined ; and after a little Pause, the Duke told him, you have cheated your self, you have taken the Test, to what the Earl answered, then he hoped his Highness was satisfied ; but the Duke, after some other Expositions, told the Earl, That he and some others had a Design to bring Trouble upon a Handful of poor Catholics that would live peaceably however they were persecuted but that it should light upon others.

Now the Design appears barefac'd ; for, would you think it, the Earl having delivered the Explanation of his taking the Test by the Duke's remptory Command, this is interpreted a publishing of it ; and upon *Tuesday* the eighth of *November*, a Council was called, without calling the Earl to it, and an Order was sent by one of the Clerks of the Council to the *Earl*, that before Twelve a Clock next Day, he should enter himself a Prisoner, at the Castle of *Edenburg*, and a Warrant was sent to the Deputy Governour to keep him Prisoner, without the Word *Sure firmance*, though fairly writ, was struck out: The *Earl* obeyed, and by himself alone in a Hackney Coach, rendred himself a Prisoner accordingly: And now you'll see how absolutely without this deputed Authority the Duke demeaned himself without Reserve ; what then might be expected from him in case he should become King ?

The *Earl*, some Days after he had rendred himself Prisoner, wrote to the Duke, telling him how he had obeyed his Highness and Councils Order in rendering himself a Prisoner, and how that he wrote sooner, least he might be thought too impatient of Imprisonment, which appeared to be the Effects of his

Displeasure, which he hoped he no ways de-
 served, and was resolved to continue all Duty and
 Obedience to his Majesty and Highness, and begged
 to know what Satisfaction was expected, where,
 and how he might live in his Highness's Favour ; to
 which no Answer was returned, but a Summons,
 charging the Earl with *leasing making, and deprav-*
ing of Laws: And after another Summons came
 and published, with Sound of Trumpet, charg-
 ing the Earl with Perjury and Treason ; but when
 it was told the Duke that such a Process threatened
 the Earl's *Life and Fortune*, the Duke said, *Life and*
Fortune? God forbid.

The very Day, November the eighth, that the Coun-
 cil ordered the Earl to render himself a Prisoner,
 the Council sent a Letter to the King, wherein they
 set out the Earl's Explanation of his taking the Test,
 and how they had commanded his Majesty's Advocate
 to raise a Pursuit against the Earl on it ; yet ex-
 cepted his Majesty's Commands for their further Pro-
 secution of it.

But the King might command what he pleased,
 his Commissioner and Council would do what they
 would with it ; for before any Return of their Let-
 ter, they caused the King's Advocate to exhibit an
 indictment against the Earl, upon the Points of *flan-*
dering and depraving: And after the Return of the
 King's Letter, they ordered a new Indictment
 against the Earl, containing, besides the former
 points, the Crimes of *Treason and Perjury*; before
 they acquainted the King with it.

The Earl thus mewed up, that he might not give
 any Offence, twice petitions the Duke and Council,
 that Sir George Lockhart might be his Advocate to
 plead

plead his Defence, yet both times refused; the
 son of their Petitions were, that without Le
 none would dare to plead the *Earl's* Cause for
 of the King's Displeasure: However, by the
 11. Jac. 6. Cap. 90. It is the undeniable Privilege
 all Subjects accused for any Crimes to provide themselves
 Advocates, to defend their Lives, Honours, and
 against whatsoever Accusation; So by the 11. Jac.
 c. 90. it is declared, that in case Advocates re
 the Judges may compel them. Hereupon the
 drew up a Letter of Attorney, constituting A
 ander Dunbar to require Sir George Lockhart to pl
 for him, which the Duke no sooner heard, but fa
 If Sir George Lockhart plead for the *Earl*, he shall
 ver plead for my Brother nor me.

But the *Earl* might set his Heart at rest, for wh
 ever Council he had, his Case was fore-judged,
 fore heard: However, for Forms sake, upon
 Twelfth of December 1681, the *Earl* was brought
 a Guard of Soldiers before the Justice Court, wh
 the *Earl* of *Queensbery* was Chief Justice Gener
 and the Lords *Narin*, *Collington*, *Newtown*, and
Hirkhonse, Lords Justiciary sitting in Judgment.
 is inconsistent with the Design of this Treatise to
 down the *Earl's* Speech at large, and the long
 learned Pleadings of Sir George Lockhart and S
 John Dalrymbles, for the *Earl's* Defence, and th
 King's Advocates pleading against the *Earl*, and the
 Dublings and Triplings; yet it's fit to say som
 thing of them, and leave the Reader at Liberty
 read them at large in the *Earl's* Case which is prin
 ted.

The *Earl* in his Defence only claims the Privilege
 of the meanest Subject, though under an ill Chara

er, to explain his own Words in the most benign
 sense, and how strange and impossible it would be
 to believe he intended any thing but what was suitable
 to the Principles of his Religion and Loyalty,
 though he did not express himself at all.

When he enlarged, how from his Youth, he had
 made it his Business to serve his Majesty faithfully,
 constantly, and to his Power, especially in all
 times of Difficulty, and never joyned or complied
 with any Interest or Party contrary to his Majesty's
 Authority, and so, that he never received a Frown
 from his Majesty these Thirty Years; and that even
 in this Parliament, how he had shewed his Readiness
 to serve the King and Royal Family in so vigorously
 asserting the Lineal Succession of the Crown, and in
 procuring Supplies to his Majesty and Successor; and
 that he had always kept his Tenants in Obedience to
 his Majesty.

How strange then is it, that Words spoken for
 clearing his own Conscience, should be wrested
 to Treason, especially where the same was done
 before by many *Orthodox Clergy*, whole Presbyteries,
 Synods, and some Bishops; so that an eminent
 Bishop took the Pains to write a Treatise that
 was read over in Council, and allowed to be printed,
 and a Copy given to him which contains all
 the Expressions he is charged for, and many more
 may be stretched to a worse Sense, and having wished
 all Happiness to the King, and a Continuance of
 the Lineal Succession, left his Defence to his Advocates,
 Sir George Lockhart and Sir John Dalrymple: when
 several Letters from General Middleton and the Earl of
 Glencarn were read, testifying the Earl's Loyalty and
 Services to the King.

The

The Treason charged upon the *Earl* in the Indictment consists of these Six Heads.

1. *That the Earl considered the Test, and was desirous to give Obedience to it as far as he could; clearly insinuating thereby he was not able to give full Obedience.*

2. *That he was confident the Parliament never intended contradictory Oaths; thereby to insinuate to the People that the Parliament did impose contradictory Oaths.*

3. *That every Man must explain for himself, and take it in his own Sense; whereby that excellent Law lost its Obligations.*

4. *That he took the Test so far as it was consistent with its self and the Protestant Religion; which deprecat the Test, and misrepresented the King's and Parliament's Proceedings in the highest Degree.*

5. *That he did not mean, by taking the Test, to bind up himself from wishing and endeavouring any Alteration in a lawful Way which he shall think fit, for advancing the Church and State; where, by his Example, he invited others to be loose from the Test, to make Alterations.*

6. *That he understood this as Part of his Oath, which was a Treasonable Invasion upon the Royal Legislative Power, as if it were lawful for him to make to himself an Act of Parliament.*

For the better Understanding the *Earl's* Case, it is fit to consider, first, the Test was not to be imposed upon any but those who bare Office; and the *Earl* was desirous to have laid down all his Offices, which was denied him. Secondly, it was not to be imposed before the First of *January*, whereas all these Proceedings against the *Earl* upon the Test, were not only

unwarrantable, but the Council usurped the Legislative Authority by imposing the Test upon the *Earl* before. Thirdly, that this Explanation of the Test by the *Earl*, was by the Duke's Command and Allowance of the Council one Day, and the next Day made Treason for publishing it, the *Earl* being peremptorily commanded by the Duke to deliver the Explanation he had drawn in writing to the Council.

The *Earl's* Council insisted, That the *Earl*, being before, always dutifully and loyally behaved himself to the King, his Words and Intentions, ought to be interpreted in the best Sense and in his Favour.

That the Act against leasing making, and denying the King's Laws, were for plain Words and Phrases, tending to make Discords between the King and People, and were never intended against a Person in Judicature, required to give the true Sense of a Law to the best of his Skill and Conscience; and that it would be strange in such a Case, that this should be a Crime, if one Man differ from another; whereas sometimes not only learned Lawyers, but the Judges themselves differ about the Interpretation of Laws.

That the Act of Parliament does not impose the Test generally, but as a Qualification for those who shall bear publick Office; and therefore it is just and commendable in any Person who has a Scruple of Conscience upon him, to declare his Meaning in taking of it, how he understands it; it matters not whether he errs or not, for, *Conscientia etiam, si vera obligat*, especially where a Man's Conscience is opposite to his Interest as in this Case to lose his Government; nor was this any Reflection by the *Earl* upon the Act of Parliament, nor their Prudence in imposing the Test.

4. Though the *Earl* could not take the Test otherwise than as he explained it ; yet by the Act there was no greater Penalty than that, *Habeatur recusante*, he should not hold his Places of Trust.

5. That the Council allowed the *Earl's* Explanation, by bidding him take his Place, after he had made his Explanation.

6. The *Earl's* Explanation could not be treasonable, viz. *Animo defamandi*, whenas he only made it to the Council when required, whereas some Bishops, whole Presbyteries and Synods had made Explanations of the Test, and in down-right Terms charged it with Inconsistencies and Contradictions, and these allowed to be printed before the *Earl* made his; and even the Council themselves had made an Explanation of it, before the *Earl* was tryed, though the Parliament was then in being, and this made publick : Q. If this were not more Treason, than the *Earl's*, though his Council durst not say so.

7. That the *Earl*, by making his Explanation, assumed a Legislative Power ; to which it was answered, the Legislative Power extends to all, but the *Earl's* Explanation refers only to himself, how he understood he might take the Test ; and this was done without any Diminution to the Legislative Power of making or interpreting Laws ; and if the Legislative Power be not satisfied, it cannot extend any further than that the *Earl* shall be a Refuser of the Oath, which is neither Treason nor Perjury, and this was charged upon the *Earl*.

8. That the *Earl* was ready to give Obedience as far as he could ; did not import the Parliament had imposed an unlawful Oath ; for here is no Impeachment of the Justice or Prudence of the Law-giver, nor can any

Law be so plain, especially affirmative Laws, as this that every Man shall understand it alike, and if one Man declares one Sense of it, and another otherwise; how does this become Treason in one or the other, or import the Injustice or Illegality of the Law?

9. *That the Earl was confident the Parliament never intended contradictory Oaths*; which was so far from being treasonable; that considering the plain downright Objections spread abroad of the Inconsistencies and Contradictions of the Test, it was an high Vindication of the Parliament.

10. *Therefore, he thinks no body can explain it but himself*; which having no Reference to any other, this cannot be taken for any Diminution of Parliamentary authority, or depraving of the Law.

11. *That he takes it so far as it is consistent with itself, and the Protestant Religion*; if this be a Crime, the Earl is neither the Beginner nor Promoter of it; so many Bishops, Synods, and Presbyteries having before printed it with Allowance from the Council; nor the Promoter of it; for the Earl said this only of himself, and was passive in it, being required by the Council to make his Explanation, and if they indulged it, 'twas their Fault.

12. *That he did not bind up himself in his Station, and in a lawful Way not to wish and endeavour any Alteration, he thinks, to the Advantage of the Church or State, and repugnant to the Protestant Religion and his Loyalty*. This has Reference to the Earl in his Station, as he is a Peer of Scotland, who has not only a Right in Parliament to debate freely of any Law in being; but is a Member which has a Legislative Right and Power to repeal as well as make Laws; and herein can no more bind up himself, than one Act of Parliament can bind another Parliament.

Note, the *Earl* does not say this is Part of the Test Oath; but Part of his Oath in the Sense he takes the Test, which makes no Alteration of the Test.

The King's Advocate, Sir *George Mackensy*, being one of the Conspiracy in contriving the *Earl*'s Destruction, you need not fear but he'll strein his Wit to make good his Indictment of the *Earl*.

He begins with a long Inveective against the jugd Covenant, and that this excellent Law, the Test, was established to prevent the like for the future, and that this Law is of private Interpretation, and if it were, it would be loose from Obedience to all Law, and concludes with a Lye, that there was no Force upon the Earl, to take the Oath; but that he took it for his own Advantage.

It's True, no private Interpretation of any Law is of Force to bind another, and whatsoever Interpretation another makes of any Law, it makes no Alteration in the Law; but if a Man be asked his Opinion of any Law, or Point in Law, and he gives according to the best of his Skill, shall this be taken for Treason and depraving of the Law, and shall he be in Danger of his Life for it? This was the *Earl*'s Case, he was called upon by the Duke to take the Test, with his Explanation before he did it; and whereas *Mackensy* says there was no Force upon the *Earl*, I'm sure, if my Author says true, the *Earl* refused to give in the Paper, whereof he is indicted, and profered to lay down his Offices upon it, till the Duke peremptorily commanded him to do it; if this were not Force, I would know what is? I'm sure there was no Force, but Corruption and Backbity, upon the Advocate to enter into this villainous Conspiracy against this Noble *Earl*, to condemn him under the Pretext of Justice, which is to be esteemed sacred. And let any Man read his whole

and see if there be any thing in it but forced and strained Inferences; or any one Proof against the Earl, within the Act 60. *Parl. 6. Mary*, or the Act *Par. 20. Jac.* which makes it Treason to make false Construction of Laws, to others with a Design to raise Sedition and Dissention among the King's Subjects; so that some Overt Act or Speech to others with a Design to raise Sedition, &c. must be proved; and not what is said in the Council, or any Court of Judicature?

However, as was the Advocate, such were the Assistants, whereof the Marquess of Montrose (the Earl's father's most bitter Enemy) was the Fore-Man; and the rest of the Pack of the same Stamp; who, with one Voice, found the Earl guilty of Treason, by making, and leasing telling; but, like conscientious Men, having made the Earl to have forfeited his Life, Honour and Estate, by a Majority they found the Earl innocent of Perjury, which they could do nothing by.

So that now the Noble Lord Lorn is become the late Earl of Argyle; yet the Earl, not to be wanting to himself in this deplorable State, next Day but one, viz. December the 15th, by a Friend, humbly intreated to speak with the Duke, who returned answer, *It was not ordinary to speak with Criminals, except with Rogues on some Plot, where discoveries might be expected*; by this you may see what Spirit governed this Prince, and what might be expected from him, if he became King.

The next Day after the Earl's Sentence, viz. December the 14th, the Council gave the King notice of it, and expected his further Pleasure, now the Work is done to his Hand; but it seems his Highness was very impatient till he had the Earl's Blood; for he said,

If the Express from the King came not timously, he would take upon himself what was to be done; by which you may see what an Ascendency the Duke had over the King: However, the Earl, upon the Sixteenth, petitioned the Duke, that he might send a Petition to the King, which was refused.

Things brought to this Extremity, and the Earl hearing that some Troops, and a Regiment of Foot were to be brought down from the Castle to the common Goal, from which Criminals are usually brought to Execution, he resolved to try to make his Escape, and the rather, because about Seven a Night, he had Notice that new Orders were given for further securing him, and that the Castle Guards were to be doubled, and that none were suffered to go out without shewing their faces, and therefore a Friend advised him not to attempt it; No said the Earl, now is the Time, and so he attempted it, and it pleased God he escaped.

Hereupon the Lords of Assize, upon the Twentieth of December, pronounced the Earl guilty of the Crimes of Treason, Leasing making and Leasing taking, for which, being detained in the Castle of Edenburg, out of which, since the Verdict having made his Escape, therefore they adjudged the said Earl to be executed to Death, and his Name, Memory and Honours to be extinct; and his Arms to be riven from the Book of Arms, so that his Posterity may never have Place, nor be able hereafter to bring or joyse any Honour, Offices, Titles or Dignities within this Real in Time coming; and to have forfeited his Lands and Tenements, &c.

But though the Earl be escaped out of Prison whereto shall he flee? For Terras (I'm sure Britannica) Astraa reliquit; he had some Thoughts of casting himself

himself at the King's Fleet, but those soon vanished, the same Spirit which governed in Scotland, raged in England over; and so privately he passed into Scotland, where for some time we leave him, and see what's doing in England.

Mr. Hawles in his Remarks upon Fitz-Harris his Trial, F. 18. out of Tully's Offices, lays this down for a Rule, *That nothing is profitable but what is honest*; for which Tully gives many Reasons, but nothing so convincing as the Examples he brings in publick and private Matters: and though the Empire was vast, and he bore a great Figure in it, and was very knowing in the Greek and Roman Histories, yet was he not able to bring an Hundredth Part of Examples to prove his Position, as had been in this little Island in the Space of Eight Years: And in his Preface, gives the Reasons for the Disaffection to the late Government; viz. *exorbitant Fines, cruel and illegal Prosecutions, outrageous Damages, dispensing with the Test and other Laws, and undue Prosecutions in criminal, but more especially in capital Matters.* But these I take to be the Effects of those Councils which governed in England ever after the King's Restoration, though they did not so manifestly appear till the Duke was sent into Scotland, and after the Dissolution of the Parliament at Oxford, and for these first Six Years after the Dissolution of the Parliament at Oxford, the Tories in England, as well as Scotland, were the tools which the popish Faction made use of for carrying on their Designs, then they were laid by, and the Whigs set up, as they thought, to finish the Work: The Tories were so far from being suppressed by the Proceedings of the Commons against them in the last Westminster-Parliament, that they only so much more irritated them against the Whigs after the Dis-

solutions of the last *Westminster* and *Oxford Parliaments*, and this was what the popish Party desired.

The King's Declaration signed *Francis Gwyn*, was not only obeyed by the *Tories*, but entertained with unexpressible Joy, and celebrated with manifold Returns of Thanks to his Majesty, and now nothing but *Halcyon Days* were expected, and an absolute Dominion over the *Whigs*: and the King, to gratify the *Tories* in their Jollity, after the Bill for repealing the Act of 35. *Eliz.* was taken out of the House of Lords, before it was passed, which little sorted with the King's Declarations of Indulgence; has this Law now put in Force against the Dissenters, and prosecuted with that Violence, that many Thousands of Families were undone by it, yet little of the Money levied upon them was brought into the *Exchequer*, and you may be sure the Prosecutors would take their own Share, and it was no difficult Matter to get a Grant, or at least a Pardon for the King's. Among the rest of the Worthies in this pious Business, one *Jenner* a Lawyer, was one, who for this and other meritorious Acts, was after knighted and made one of the honourable Barons of the *Exchequer*, and though these Men were excepted out of the Act of Indemnity made by this King, and Informations against them in the *Exchequer*, and among the rest, against this *Jenner*, yet upon pleading their Pardons, I do find no great Matter came of them; and now since the *Meal-Tub Plot*, and that of *Fitz-Harris*, had no better Effect, the Court sets up another to throw the popish Plot upon the *Nonconformists*.

You have heard before how there appeared to be a popish Plot carried on in *Ireland*, ever since the Year 1665, for establishing the popish Religion, and that several Witnesses were brought out of *Ireland* to

prove

and how that the Lords in Parliament having
thoroughly inquired into it, did upon the Sixth of Janu-
ary last, viz. 1682, send this Message to the Commons.
Resolved by the Lords Spiritual and Temporal in Par-
liament assembled, that they do declare that they are fully
persuaded, that there now is, and for divers Years last
past, hath been an horrid and treasonable Plot, continu-
ed and carried on by those of the Popish Religion in Ire-
land, for massacring the English, and subverting the
Protestant Religion, and the ancient Government of that
Kingdom, to which they desire the Concurrence of the
House, to which the Commons agreed.

The Evidence, by which the Lords discovered
this Plot, were generally Irish, and of the popish Re-
ligion, and it's probable, were Partakers of the De-
sign of this Massacre, and had not their Pardons; or
if they had, they were poor and had no Means to
subsist; now the Oxford-Parliament was dissolved,
and no Prospect of another, especially having now
lost their Friends and Dependence for having given
their Evidence of the Discovery of the Plot, and
were in a strange Country; in this State the Court
employed a Sort of Men, partly by Terror, and
partly by their Necessities to work upon the Irish, to
pervert their Evidence another Way.

And the Cause being the same, it had the same Ef-
fect upon others as well as the Irish; for the Oxford-
Parliament being dissolved, and all Hopes of Enqui-
ry further into the popish Plot, growing desperate,
Dugdale, Turbervile, and Smith, not having (that I
can find) gotten their Pardons, and having lost
their Dependances upon their having given their
Evidence; and being reduced to the same Necessities
the Irish Witnesses were, were easily wrought upon
to smother the popish Plot, and to swear another
upon

upon the principal Inquirers into the popish; nay even my Lord *H*— (though not in the like Circumstances) could not procure his Pardon till his Drudgery of swearing was over.

The Foundation thus laid, now we proceed to shew how the King made good his Declaration for calling frequent Parliaments, and in using his utmost Endeavours of extirpating Papacy; and it is without any President, that ever any King before did truckle to such vile and mean things, to invert his Declaration, and his manifold repeated Promises to the Parliament.

The Twenty Eighth of *March*, the Parliament at *Oxford* was dissolved, and upon the Twenty Seventh of *April* following, an Indictment of High Treason was preferred against *Edward Fitz-Harris* to the Grand Jury at *Westminster* for the Hundred of *Oswalst*, but the Grand Jury having the Vote of the Commons of the Twenty Seventh of *March* so fresh in their Memories desired the Opinion of the Court whether they might safely proceed upon it; and you need not doubt but the Court gave their Opinion they might: So the Grand Jury found the Bill.

From the Time that *Fitz-Harris* was removed from *Newgate* to the *Tower*, which was Ten Weeks before this Indictment, he was kept so close Prisoner, that his Wife, nor any other were permitted to come at him; whereas the Lords impeached in Parliament, had the Liberty of the *Tower*, and for any Man to visit them.

Yet *Fitz-Harris* his Wife, foreseeing the Design of the Trial of her Husband, had gone to Council, and had a Plea drawn to the Jurisdiction of the Court; to which the Attorney General demurred, and *Fitz-Harris* his Council joyned in the Demurrer.

It were Vanity and extream Arrogance in me, to
 of the nice Pleadings on both Sides, concerning
 the Form and Substance ; nor to give a Reason why
 the Court over-ruled *Fitz-Harris* his Plea, since the
 Court did not.

Yet, I say, the Reports of *Coke*, *Dier*, *Plowden*,
 and others, would have proved dry Businessses, if
 the Courts of *Westminster-Hall* had given such Judg-
 ments as the *King's-Bench* did in *Fitz-Harris* his Case,
 And I say also, that no Man lives out of Society
 and Commerce, and that in every Country there
 are Laws for the Preservation of Mens Lives, and to
 protect them in Society and Commerce ; and that
 in every Country there is a Power, which is lose
 from these Laws, and gives Laws to all the Subjects
 of those Countrys.

But because all Laws are vain unless they be execu-
 ted, every Country has Judicatories wherein these
 Laws are executed, which differ in different Coun-
 try. The supreme Power of this Nation resides in
 the Parliament, whereof the King is the Head, and
 the Lords Spiritual and Temporal, and the Repre-
 sentatives of the Commons, are the Body.

These Courts of Judicature have their distinct Ju-
 risdictions, and are restrained to certain Rules and
 Methods : the highest of these Courts are the Body
 of the Parliament, viz. the Lords Spiritual and
 Temporal, and the Commons, which have distinct
 Jurisdictions, but are not bound up in their Judica-
 tories by such strict Rules as other Courts are.

Other Courts take Cognisance of civil and crimi-
 nal Cases, between particular Men ; but these
 Courts of Parliament take Cognisance of the State
 and Grievances of the Nation, where only they
 find Relief ; and though no other Courts take Cog-
 nisance

nifance of Matters tranſacted in Parliament, neither of theſe Courts take Cognifance of all Proceedings in other Courts; and not only reverſe illegal Proceedings in them, but puniſh the Judges of all other Courts, for any Errors or Abuſes committed by them, ſo if any Perſon or Perſons ſhould grow ſo great as to be dangerous to the Publick though they be out of the Reach of other Courts, they are ſubject to theſe Courts of Parliament, and by theſe Courts the *English Nation* have preſerved their Liberties and Laws, now *France* and *Spain* have loſt them, which before had their Aſſemblies of the States (all one with our Parliaments) and in looſing them, have loſt their Liberty and Laws, to the Arbitrary Will of their Princes.

The Jurisdiction of Parliaments have been in all Ages in *England*, eſteemed ſacred; ſo that other Courts rarely preſumed to take Cognifance of Caſes which were in the Jurisdiction of or Depending in Parliament, for this was to depoſe the Parliament, and uſurp their Jurisdiction; nor do we read that ever any other Court aſſumed this Authority, but in the reigns of Kings, affecting tyranny and arbitrary Power.

The firſt Judges, which (I think) gave their Opinion, that the Courts in *Westminſter Hall*, might take Cognifance of Cauſes determinable in Parliament, were *Trefilian* and *Belknap*, in the Eleventh of *Richard II.* for which they were impeached by the Commons in Parliament, of no leſs than High Treason, and for which, by Judgment of the Lords in Parliament, *Trefilian* was hanged, and *Belknap* baniſhed: Mr. *Williams*, in his Pleadings for *Fitz-Harris*, cites another Caſe in the Twentieth of *Richard II.* of a Perſon who exhibited a Petition in Parliament, which ſuggested ſomething which amounted to High

High Treason (which it may be was determinable by common Law) This Person was after indicted at common Law, found guilty, and pardoned, but because the Business was depending in Parliament, the Proclamation and Judgment were made void in Parliament. The next Case (I think, but of an higher Nature) was that of Sir John Elliot, my Lord Holles, &c. 5. Car. 1. when an Information was exhibited against them in the King's Bench, they pleaded to the Jurisdiction of the Court, being for Matters transacted in Parliament: The Court over-ruled their Plea, and gave Judgment against them, and Reasons, such as they were, for their Judgment; but in the 19. Car. 1. upon a solemn Debate in the Commons House, and upon their Reasons given at a Conference with the Lords the Judgment of the King's Bench, Reasons and all were reversed by a Writ of Error in the Lords House, and after the Judges, who gave the Judgment, were impeached of High Treason by the Commons, for endeavouring to subvert the fundamental Laws and Constitutions of the Kingdom.

This Case of *Fitz-Harris* I take to be the Fourth of this Kind, yet shall open a Gap for a Fifth; but that this Case may be better understood, it will be necessary to distinguish between an Indictment or Information, and an Indictment by the Commons in Parliament.

An Indictment or Information is at the Suit of the King, and the Judges and Jury are tied up to some single Issue, as in this Case of *Fitz-Harris*, the Trial was whether he were guilty or not of the Treason whereof he was indicted.

But an Impeachment of the Commons is at their Suit, and of all the Commons of *England*, nor are they tied up to one single Issue, but impeach for Treason,

Treason, and other Crimes and Misdemeanors the same Impeachment; they assume to themselves, that all the Commons in *England* have a Right in the King, and all the laws and constitutions of the nation and therefore can impeach where none of the Court of *Westminster-Hall* can take any Cognisance at the Suit of the King, either by Indictment or Information.

After *Fitz-Harris* was committed to *Newgate*, was examined by the Earls of *Essex* and *Shaftesbury*, Sir *Robert Cleyton* and Sheriff *Cornish*; who found him a Disposition to discover the Bottom of the popish Plot, and also to make a further Discovery of the Murder of Sir *Edmund-Bury Godfrey*, but the next Day *Fitz-Harris* was carried to the *Tower*, and kept close Prisoner, and out of their Power, to whom *Fitz-Harris* promised to make a Discovery.

The Commons conceiving themselves, and all the Commons of *England* concerned in this Plot (wherein the *French Ambassador*, his Confessor, my Lord *Hutchinson*, the Dutches of *Portsmouth*, and her Woman *Widdow*, and even the King himself, for *Fitz-Harris* had several times acquainted the King with it, and the King gave him Money, and countenanced it, were Agents) impeached *Fitz-Harris*, thereby to enquire into the Bottom of this Business, which no Court in *Westminster-Hall* could do; and this I take to be the Reason of the Commons Vote of the Twenty Seventh of *March* 1681, That if any inferiour Courts, should proceed upon *Fitz-Harris*, and he be found guilty, the House will declare them guilty of Murder, and Betrayers of the Rights of the Commons of *England*. And so it fell out that *Fitz-Harris* being indicted upon the single Issue of contriving and publishing the Libel, was convicted and executed upon it, though he desired to proceed upon the Discovery of this Plot to

the Earls of *Essex*, *Shaftsbury*, and to Sir *Robert Cley-*
 and to make an End of his Evidence against my
 Lord *H—* which was denied; so that whether *Fitz-*
Harris was murdered in his Person or not, it's no
 objection but his Evidence for further Discovery of
 his and the popish Plot was murdered by this Trial.
 I will make these Remarks more upon this Trial,
 in the Case of *Trefilian* and *Belknap*, the Nation
 is in no other Danger, than the Courts of *Westmin-*
ster-Hall's invading the Jurisdiction of Parliament, and
 the Case of my Lord *Holles*, Sir *John Elliot*, Mr. *Sel-*
by, &c. was only for Misdemeanour, whereas the
 King's Person, and the Safety of the Nation, were
 concerned in the Discovery which *Fitz-Harris* might
 have made. See Mr. *Hawles's* fine Remarks upon
 the Practices and Illegalities of the Judgment of the
 Court, not warranted by the Common, or any Sta-
 tue Law, and that the Consequences of this Trial
 was manifoldly more mischievous to the Nation than
Fitz-Harris his Design had taken Effect.

The Fright of *Fitz-Harris* his Discovery of this
 new popish Plot being seemingly allayed by his
 Death, Revenge with winged Haste pursues the Dis-
 coverers of the old. It was in *Trinity Term* that *Fitz-*
Harris was tried and executed, and after this Term,
 an Indictment of High Treason was exhibited to the
 Grand Jury of *London*, against one *Stephen Colledg*, a
 mean Fellow, but a great Talker against the popish
 Plot, who was more known by the Name of *Prote-*
stant Joyner, than *Stephen Colledg*: The Fore-man
 was one *Wilmore*, This Indictment would not down, but
 the Grand Jury returned an *Ignoramus* upon it, for
 which *Wilmore* was forced to fly his Country.

The Design not succeeding in *London*, the Scene
 against *Colledg* is laid at *Oxford*, and to make sure of

a Bill to be found there against *Colledg*, the King's Council had prepared Witnesses at the Assizes to p^ro-
thither, there to make sure Work, the King's Coun-
sel are privately shut up with the Jury, till they had
found the Bill, which Mr. *Hawles* says was a most
justifiable and unsufferable Practice.

Whilst these things were contriving, *Colledg* by
the Honour, as well as *Fitz-Harris*, to be committed
and continued a close Prisoner in the Tower, yet
Lords impeached in Parliament had the Liberty of
and free Access was permitted to them; it's true
deed, *Colledg* was permitted to have a Solicitor and
Counsel, which was Mr. *West* (I think a Plotter
Setter in the Rye-Plot, as dark as *Fitz-Harris's*, and
as like it as Two Apples are to one the other.

But this was not out of Favour to *Colledg*, but
to betray him, for when the Bill against *Colledg* was
found at Oxford, *Murtel* a Goaler, and *Sawell*
Messenger were sent to bring *Colledg* to Tryal; when
after they had taken him out of Prison, run him
to a House, and by Order of the King's Council
took from him all his Instructions for his Defence
and carried them to the King's Council, as well
to disable him from making his Defence, as to enable
the King's Council how to proceed against him by
some Way he was not provided to make his Defence.

Upon *Colledg's* Arraignment, he demanded his Papers
taken from him by *Murrel* and *Sawell*, which
was denied by the Court till he had pleaded guilty or
not to his Indictment. Here take notice that Sir
Francis Pemberton, Sir *Thomas Jones*, and Justice *Romond*
having done the Courts Jobb in *Fitz-Harris's* Tryal;
a new Set of Four is made to do this of *Colledg's*,
the cheif of these was Sir *Francis North* (a
Man cut out to all Intents and Purposes for such
Words

Work, and as if born to do it, his Father was a Committee-Man in all the late Times against King Charles the First, and his Grand-Father, one of the Seven which condemned Arch-Bishop *Laud*) it's no matter who were the other Three, for *North* was the Mouth of the Court.

This was the first time that ever any Prisoner had his Instructions taken from him to make his Defence, and at a Time when there was such Contrivances to take away his Life: My Lord Chief Justice told *Colledg*, he took not away his Papers; but *Colledg* replied, they were taken from him upon Pretence of bringing them to his Lordship.

The Court and Council had a Twofold Design upon *Colledg* in seizing his Papers; one to trepan *Colledg* to plead guilty or not before they delivered the Papers, which having done, it was too late to plead either to the Jurisdiction of the Court, or that the Indictment was erroneous, as it was, it being of different Natures, as for Treason and Misdemeanors.

Here I leave it to the learned to judge whether the Court and King's Counsel, did not in this Indictment endeavour to depose the Parliamentary Authority, and usurp it themselves; for though the Commons may impeach generally for Treason and Misdemeanors in the same Impeachment, yet neither by the common, or any statute Law, any such Indictment can be.

The other Design was to disable *Colledg* to make his Defence after his pleading not guilty; *Colledg* finding himself thus beset, though a mean Man, yet with a *Roman Courage*, said, this was an horrid Conspiracy, not only against his Life, but against all the Protestants of *England*, and herein he proved a true Prophet.

The Courage of the Man put the Court and King's Counsel to the Whisper, which was never before done in any Court of Common Law, and now the Court must be adjourned, the Pretence being for Dinner though they had breakfasted but a little before; and before their Return, the King's Counsel altered their Method of proceeding against the Prisoner, from that they before designed; and so sorted their Evidence, that they might not contradict one another and so would not examine some of his Evidence.

Yet upon the Return of the Court, the Attorney Sir R. S. for Fear his Instructions might not well be remembred or understood, moved, the King's Evidence might be examined in the Hearing of one another, which, though over-ruled, yet 'twas not observed; and to satisfy the Jury, the Court (Sir F.N. told them, in summing up the Evidence, they would inform the Jury what Part of it was Treason, and what Misdemeanor, which they did not. Mr. *Hawkes* learned Remarks herein, as well upon Law and Practice, are worthy the Consideration of the Parliament.

The Court and Counsel, thus armed Cap a Pique and the Prisoner bound Hand and Foot, you need not doubt of a glorious Victory over him; and now let's see by what valiant Combatants they atchieved it.

The first Champion against *Colledg*, but whether to prove Treason or Misdemeanor, is not yet determined, was *Stephen Dugdale*, that in a Barber's Shop and a Coffee-house, he had spoken vilifying Words of the King: That *Colledg* had shewed him several scandalous Libels and Pictures, of which he was the Author: That *Colledg* had a silk Armour, a Brace of Horse-Pistols, a Pocket-Pistol, and a Sword; that he had several stout Men would stand by him, that he would make use of them in Defence of the Protestant Religion.

Religion

igion, and that the King's Party were but
 mindful to his.

To pass over the Improbability of Colledg's design-
 ing Treason against the King, and trust the Manage-
 ment of it to Papists, who were employed to cut
 Protestants Throats, and none of them ever disco-
 vered the thing they swore, till after the Parlia-
 ment at Oxford, though most, if not all, were pre-
 ssumed to be transacted or done before; Let's see
 if Credit could be reasonably given to any of the
 Evidence against him.

1. Dugdale's Evidence was confronted by Doctor
 Bates, who testified that Dugdale said he knew nothing
 against any Protestant in England, and being taxed
 further, that he had gone against his Conscience in
 the Evidence he gave to the Grand Jury at London,
 against Colledg; Dugdale said, It was long of Colonel
 Mordaunt (a worthy Person, who, for this and such
 Services, is since knighted) for he could get no Mon-
 ey. Elizabeth Hunt testified, that after Colledg
 was in Prison, Dugdale told her, He did not believe
 Colledg had any more Hand in any Conspiracy against
 the King, than the Child unborn; and that he had as
 soon have given an 100 l. he had never spoken what he
 said, and that he had nothing to say against Colledg which
 would touch his Life; and Bates testified, that when he
 Colledg was an honest Man, and stood up for the
 King and Government, Dugdale answered, I believe
 him, and I know nothing to the Contrary.

2. Royes swore Colledg said, Unless the King would let
 Parliament sit at Oxford, they would seize him, and
 hang him to the Block, and that he said, the City had
 100 Hundred Barrells of Powder, and Ten Thousand
 ready at an Host's Warning.

To confront this Evidence, Hickman testified,

Bbb b 2

that

that Haynes swore, God damn him, he cared not what he swore, for it was his Trade to get Money by swearing. Mrs. Hall said she heard Haynes own, That he was employed to put a Plot upon the dissenting Protestants, and Mrs. Richards said she heard him say the same thing. Whaley said Haynes stole a Silver Tankard from him, and Lun said, Haynes said, The Parliament were a Company of Rogues for not giving the King Money; but would help the King to Money enough out of the Parishes Estates. Everard testified that Haynes said his Necessity and hard Pay drove him to say any thing against the Protestants. Turberville swore, Colledge was at Oxford, That he wished the King would begin, he did not, they would begin with him, and so he said, and that he, Colledge, came to Oxford for that Purpose.

3. Oates said Turberville said a little before Witnesses were sworn at the Old Bayly, That he was not a Witness against Colledge, nor could give any Evidence against him, and that after he came to Oxford, had been sworn before the Grand Jury against Colledge, and that the Protestant Citizens had deserted him, God damn him, he would not swear.

John Smith swore Colledge's speaking scandalous Words against the King, and of his having Arms, which he shewed Smith, and said, these are the Arms that will destroy the pitiful Guards of Rowley; and that he expected the King would seize some of the Members of Parliament at Oxford, which if done, would be one should seize the King. That Everard had made his Nose bleed, but before long he hoped to see a great deal more Blood shed for the Cause; that if any, nay, Rowley himself came to arm the City, he would be the Death of him.

4. To confront this Evidence, Blake testified that

said *Haynes* his Discovery was a Sham-Plot, a
 Tub-Plot; *Bolton* said, *Smith*, would have had
 swear against *Sir John Brooke*, my Lord *Shaftesbury*
 and *Colledg*, things of which he knew nothing,
 and told him what he (*Bolton*) should swear, least
 they should disagree in their Evidence: *Oates* testi-
 fied *Smith* said, God damn him, he would have *Colledg's*
 and *Mowbray* testified that *Smith* tempted him
 to be a Witness against *Colledg* and *Sir John Brooke*,
 and said if the Parliament did not give the King Mo-
 ney, and stood on the Bill of Exclusion, that was
 Evidence enough to swear a Design to secure the
 King at Oxford, and *Everard* and others testified,
 that he knew of no Presbyterian or Protestant
 Plot, and said Justice *Warcup* would have perswaded
 him to swear against some Lords, a Presbyterian Plot,
 but he knew of none.

These were the material Evidences thus confronted,
 which should prove *Colledg's* Treason and Misdemeanor
 for taking away his Life; but this Evidence was so
 weak, that for Shame the King's Counsel never play-
 ed them after against any other but my Lord of *Shaftes-
 bury*, but were forced to set up for new, against my
 Lord *Russel*, Collonel *Sidney*, &c.

Objection.

In Criminal Cases, especially of Treason, if Evidence
 does not arise from the Conspirators, who are supposed to be
 Men, scarce any other Means can be found for preven-
 ting or punishing these; and that *Dangerfield* was of an
 Family, and *Dugdale*, *Smith*, and *Turberville* were
 Witnesses in Discovery of the Popish Plot, and so their Evi-
 dence is to be credited, as well in this as in the Popish Plot.

Answer.

Nor would the popish Plot have been believed, if
 it had no Foundation but the Credit of the Witnes-

ses ; but *Coleman's* Letters, Sir *Edmund-Bury* *Grey's* Murder, and *Harcourt's* Letters of it that Night to *Evers*, my Lord *Aston's* Confessor, &c. gave more than sufficient Evidence of the popish Plot, beside the Evidence in the popish Plot did arise from the Evidence of their own accord, not hired and sought to give it, as in this : And can any Man believe the *Colledg*, so zealous a Protestant, should design the Destruction of the King, and contrive it by Papists, whom he was so averse ? And it were Madness to think *Colledg* could do this alone, for none of all the Evidence swear any other to be concerned with him in

There were other Evidence against *Colledg*, Mr. *Masters*, Sir *William Jennings*, about Words which *Colledg* should speak ; and *Atterbury*, *Samell*, and *Savens*, concerning finding Pictures in *Colledg's* Possession when they seized him ; but as Mr. *Hawles* observed these, by no Law in *England*, could be made Treason, admitting all they said to be true ; but though *Colledg* this Scene began, and he was executed as a Traitor, it did not end in him as he prophesied.

For *Colledg's* Blood was too mean a Sacrifice to appease the offended Ghosts of the martyred Roman Saints, and was but the Inlet to spill nobler Blood, therefore upon the Thirty First of *August* he was executed, and upon the Twenty Fourth of *November* following, 1680 the Earl of *Shaftsbury* had a Bill of High Treason in the Sessions of the Old *Bayly*, *London*, preferred against him.

I will not here curtail any of the Remarks which Mr. *Hawles* has made upon this Bill, or the Tryal of Lord *Russel*, Colonel *Sidney's*, Mr. *Cornish's*, and *Wentmore's* Tryals, but leave them entire to the Reader ; enough for me to shew how well the King, by these Tryals, made good his Declaration of preserving the Protestant Religion.

tion, and his utmost Endeavour to extirpate Popery; yet
I shall make some Remarks upon my Lord Shaftsbury's
Case, which Mr. Hawles either has not, or not so fully.

Upon the Twentieth of April 1679, the King after
he had sent the Duke into *Holland*, dissolved his old
Privy Council, and chose a new one, whereof the Earl
of *Shaftsbury* was President; and in Parliament de-
clared the ill Effects he had found of single Councils
and Cabals, and therefore had made choice of this
Council, which next to the Advice of his great Coun-
cil of Parliament (which he would often consult in all
his weighty and important Affairs) he would be advi-
sed by this Privy Council, and to take away all Jealou-
sy that he was influenced by popish Councils, he had
sent his Brother beyond Sea.

But now, *Quanto mutatus!* no more Parliaments so
long as this King lives: This Council, whose Advice
next the Parliament, he would take, is now dissolved,
and the President's Life is sought for; the Duke of
Ormonde sent away, that he might not influence the King's
Councils, is now returned, and governs all, and made
High Commissioner of *Scotland*, where at this Time he
is contriving the Destruction of the noble Earl of *Ar-
gyle*, whilst his Brother is of my Lord of *Shaftsbury*, and
both Act their Parts under the Veil of sacred Justice.

But how to bring the Earl of *Shaftsbury* upon the
stage, was Matter of great Inquiry; other Evidence
besides *Irish*, and those *Colledg* had so baffled, could
scarce be found; and this Evidence was feared, would
no more prevail upon a *London* Grand Jury, than be-
fore it did when the Bill was preferred against *Colledg*.

Captain *Henry Wilkinson* is a *Yorkshire* Gentleman,
(for it's said he yet lives) who having served King
Charles I. in his Wars, and very instrumental in the
Restoration of King *Charles the Second*, being slain in-

to Decay (a Fate usually attending the Cavaliers, who served either of those Kings) was for his Sufferings, Integrity and Honesty, preferred by the Earls of *Craven* and *Shaftsbury*, to be Governour of *Carolina*, and one of his Sons to be Surveyor General of it and another a Register.

Captain *Wilkinson* made use of the little Stock he had left, and such Credit as he could procure to fit himself upon this Account, and hired a Ship called the *Abigail* of an Hundred and Thirty Tuns, and victualled her for the Master and Ten Men, and such other Passengers as he should take in.

In this Number, one Mr. *John Booth* desired, that he and his Family might accompany the Captain to *Carolina*, which was agreed to; but the Captain being under several Disappointments, and the Charges of the Ship for Four Months lying in the River, insupportable, the Captain was arrested and thrown into the Compter, from whence he removed himself to the *King's Bench*. The Captains Necessities were equal or more than those of the *Irish Evidence*, but the Captain (at least as he supposed) had no Need of a Pardons for any thing designed against the King or Government, as the *Irish Evidence* had; so the first Attempt upon the Captain, was to hire him to give Evidence against my Lord of *Shaftsbury*.

If *Empson* and *Dudley* were so zealous to fill *Henry VII's* Coffers, by streining the Penal Laws to utmost Rigour, as the Vogue went, *Graham*, *Baynes*, and *Burton*, were as zealous to pack Juries, and procure Evidence for carrying on this black Design, but I do not find *Burton* was in this upon Captain *Wilkinson*.

Upon the Eighth of *October*, *Baynes* made his first Attack upon the Captain, and told him, that he had been lately with Mr. *Graham*, who had a great Inte-

est with my Lord *H.* and that the Captain could not know much of my Lord *Shaftsbury's* Designs, and that he had now a desired Opportunity to discover them, and urged the Captain not to deny the Proffer, and that he need not fear his getting a Pardon; but the Captain was constant that he knew nothing of any such Design. By this Time *Booth* was a Prisoner in the *King's Bench*, as well as the Captain, and upon the Eleventh, *Booth* attackt the Captain, and told him he might have 500 *l.* per *Annum*, or 10000 *l.* if he would discover what he knew of my Lord *Shaftsbury's* Design against the King, and that the Captain should appear at Court, and have Assurance of it from Persons of Honour, but this wrought not upon the Captain neither. Upon the Thirteenth *Baynes*, *Booth*, and *Graham* renewed the Promises *Baynes* and *Booth* had made, and that he should have the King's Promise for the same, and his Royal Word for a Reward for his Success, and that *Graham* was sent by some of the Council to bring the Captain to the King, and that he had an Order for it, but all would not do, for the Captain was resolved not to go to *White-Hall* if he could help it. Upon the Fourteenth *Booth* told the Captain, that Mr. *Wilson*, my Lord *Shaftsbury's* Secretary (who was a Prisoner in the *Gatehouse*) had sent to the Council, that he would come and discover all he knew; and therefore he urged the Captain to have the Honour of the first Discoverer; and that to the former Promises the Captain should have 500 *l.* per *Annum* settled upon him in *Ireland* by the Duke of *York*; but all to no Purpose.

Upon the Fifteenth, *Booth* and *Baynes* attackt the Captain again, the Captain asked *Baynes* why he was so urgent for his Testimony; *Baynes* answered, that as yet they had none but *Irish Evidence*, which would not

not be believed, but if the Captain came to it, he was not blemished in his Credit; and then *Baynes* told him, if he would not go, he (*Baynes*) had an *Habeas Corpus* from my Lord Chief Justice *Pemberton*, to carry him to *White-Hall*.

In the Afernoon the Captain was carried by his *Habeas Corpus* to *White-Hall*, and examined in the Secretary's Office by my Lord *Conway*, and Secretary *Jenkins*, and in his Examination, in comes the King into the Office, as before he had done into the Dutches of *Portsmouth's* Chamber, when my Lord *H-* came to kiss her Hand, and there the King told the Captain he had served his Father and him faithfully, and hoped he (the Captain) would not now decline his Obedience, which the Captain answered, he never deserved to be suspected, then the King told him, he had not the Opportunity to serve his Friends, but hoped he might; then the King examined him what he knew of my Lord *Shaftsbury's* having a Design against his Person; but the Captain upon his Oath, denied he knew any thing, so the King left him to the further Examination of Secretary *Jenkins*.

But this Business did not stay here, for the Captain was carried into another Room, where were present the King, my Lord Chancellour, the L.C.J. *Pemberton*, and several other of the Nobility, with *Graham*, *Baynes*, and *Booth*, where my Lord Chancellour was very sharp upon the Captain, and put several Questions to the Captain, which he could not answer, and told the Captain, there were Two Sorts of Advancements, and that the Captain was like to come to his Tryal before my Lord *Shaftsbury*.

The Business was, *Booth* had sworn that the Captain had a Commission from my L. *Shaftsbury*, for a Troop of Fifty Men, to be my Lord's Guards against the

the King, and that *Booth* was lifted in it: This *Booth* had sworn, but was so unfortunate in it, as to swear, this was when the Parliament was at *Oxford*, at which Time the Captain was making his Preparations for his intended Government of *Carolina*; but whether the King believed the Captain or *Booth*, is unknown, but it stopt here, and the Captain was no higher advanced upon *Booth's* Oath, nor could be prevailed upon to be a Witness against my L. *Shaftsbury*, though his Wife was as much tempted to have it so, as the Captain was, so the Captain's only Advancement was, to be remanded to Prison.

However, it was resolved that my L. *Shaftsbury* should be prosecuted, and so upon the 24th. of November a Bill of High Treason was preferred against him to the great Inquest at the *Sessions-House* in the *Old-Bayly*, and *Baines* proved a true Prophet, though *Booth* swore to the Captain's Command of Fifty Men to be a Guard to my L; for the Jury neither believed him, nor the Evidence, so baffled at *Colledg's* Tryal, nor the *Irish Evidence* added to that, and so returned an *Ignoramus* upon it.

Suetonius, in the Life of *Tiberius* says, he could never have made such Ravages upon the *Roman Empire*, and exercised such Cruelties, if he had not been backt by an officious and flattering Senate, which carried the Face of Justice in it, and though it be evident, that for near Eighty Years, these Three Kings of the *Scottish Race* had been endeavouring to establish an arbitrary and tyrannical Government over this Nation, yet except King *James* the First, who, if his Necessities had not forced him, would have never had a Parliament after the First, and who, by his own Authority, created so many Monopolies and Benevolences, and in the Parliament of the 12th. and 18th. Year

Year of his Reign, without any Colour of Justice, imprisoned so many worthy Gentlemen, without the Benefit of *Habeas Corpus*'s, for their Debates in Parliament; Yet these other Two pretended to raise their Tyrannies under the Form of Justice, and therefore *Charles I.* after, he for Fifteen Years together, had not only exceeded his Father in granting Monopolies, and raising Money by Loans, Benevolences, Coat and Conduct Money; but also in taking the Customs without Grant of Parliament, and such as were never granted by Parliament, and in further raising ship-Money, and imprisoning the Members of Parliament without Benefit of their *Habeas Corpus*'s, yet he thought best to do it by such Judges as he should make, so this King, in the Executions of *Fitz-Harris* and *Colledg*, would have the Colour of Justice by a Form of Law, for which there was no Law.

But as the Knights of *Malta* could make Knights of their Order for Eight Pence a-peice, yet could not make a Soldier or Sea-man: So these Kings, though they could make what Judges they pleased, to do their Business, yet could not make a Grand Jury, from whom, the Judges, in all Criminal Causes between the King and Subject, must take their Measures; these Grand Jurys in *London* are returned by the Sheriffs, and the Sheriffs are chosen by the Livery.

This Difficulty after my *L. Shaftsbury*'s Case, put the Court to their Trumps, and at present a Stop to their Proceedings: The Assistance of the Duke of *York* was necessary, but at this Time he was as busie in *Scotland* about my *L. of Argyle*, as his Brother was in *England* about my Lord *Shaftsbury*.

The City, upon the Dissolution of the Four last Parliaments, were aware of the Designs of the Court, and chose Sheriffs accordingly, when *Colledg*'s Bill was preferred

ferred, Mr. *Cornish* and *Beibel* were Sheriffs, and now another such was preferred against my L. of *Shaftsbury*, Sir *Thomas Pilkington* and Mr. *Shute* were Sheriffs, who, though at other Times, Sheriffs would rather fine than serve, yet at this Time none refused to serve, so that unless Sheriffs of another Stamp were chosen, all would be to no Purpose. It's scarce credible what a Noise the not finding my L. *Shaftsbury's* Bill made, all Justice, now the *Tory Party* cried, was stopped, if these *Ignoramus Juries* were not set aside; *R. S.* proclaimed Forty one would inevitably return; and this countenanced by the Court, flew out of the City, all the Country over, so that scarce any other that was to be heard but of *Ignoramus Juries*, and what would follow from them.

It was the later End of *Michaelmas Term*, the great Inquest returned an *Ignoramus* upon the Bill of High Treason preferred against my L. *Shaftsbury*, and in the Vacation all Wits were set on Work how to take the Election of the Sheriffs of *London* out of the Power of the City, and no other Expedient could be found out but by taking away their Charter, which if it could be done, would not only entitle the Court to making Sheriffs, but open a Gap to their making an House of Commons, for near $\frac{1}{2}$ of the Commons are Burgesses and Barons of the Cinque Ports, who would not dare to contest their Charters; if the City of *London* could not hold theirs. So that in *Hilary Term* following, a *Quo Warranto* was brought against the City for Two heinous Crimes, viz. That they had made an Address to the King for the Parliament to sit for Redress of Grievances, and to settle the Nation (yet King *Charles* the First, thought the Parliaments Vote of non-Address to him, was a deposing of him) and that the City had raised Money towards repairing *Cheapside Conduit*, ruined by the Fire of *London*. The

The City pleaded their Right, and the King replied, upon which there was a Demurrer, but Judgment was not given upon it till *Trinity Term* 1683. : However the Novelty of the thing caused an Amusement upon the Generality of the City and Nation too, whereto this tended. In the mean time the Duke having done his Work in *Scotland*, was returned to *London*, and his Zeal for promoting the *Catholic Cause*, outwent his Patience for the Courts Judgment upon the Demurrer to the *Quo Warranto*; so that Courtiers of the First Magnitude appeared barefaced for the next Election of Sheriffs, and Sir *Dudley North* (Sir *Francis's* own Brother) and Sir *Peter Rich* were returned, one by a shameless trick, the other by open Force. Though the Court had gained this Point, they thought not fit to push it further till the Demurrer to the City Charter were determined, in which such Haste was made, that only Two Arguments were permitted on either Side, one in *Hilary Term* 1683, and the other in *Easter Term* following, and so Judgment was given in *Trinity Term* next after, against the City.

The Judgment against the City was as strange as the Election of the Sheriffs, for it was without any Reason, and by two Judges only; one was Sir *Francis Wubens* (who had heard but one Argument, and I believe understood but little of that) and who after, in the Absence of Sir *Edward Herbert*, delivered that for his Opinion which Sir *Edward*, when present disowned; and Sir *Thomas Jones*. However, they said Justice *Raimond* was of their Opinion, and so was *Saunders*, the Chief Justice, though he was past his Senfes, and only had Sense enough to expostulate with them, for then troubling him, when he had lost his Memory.

But the Court of *King's Bench* were not so ripe for this Judgment as that at *White-Hall* was for Discovery of Treasons against the Government and Justice of the Nation ; of which they set Three on foot, viz. A Plot to surprize the Guards ; the Rye-Plot, to murder the King and Duke as they should come from *New-Market*, and the *Black-Heath* Plot, for the People to rise upon a Foot-Ball Match ; if these Sheriffs would not do the Courts Work, you may be sure the next should, where the King should have the Nominations : But these were as trusty as any the King could make, and it was now *Graham* and *Burton's* Work to find good Judgment-Men, and then the Sheriffs would be sure to return Judgment.

In all these Plots, for ought I can find, the Fox was the Leader ; my Lord *H—* and *Rumsey*, in that of the Guards ; *Goodenough* in that of *Black Heath* ; *Keeling* and *Hill* in that of the Rye-Plot ; *Lee* was set to trepan *Rouse* and *Baker* in the *Black Heath* Plot ; *Rumball* (at whose house, 'twas said, the Rye-Plot was to be acted) upon his oath denied he ever knew of any : But the great Design was upon my Lord of *Essex*, and my Lord *Russel* ; one the most eminent of the Nobility, for his great Honour and all eminent Vertues ; the other of the Commons, and both zealous Protestants, and Opponents to the Design of introducing Popery and arbitrary Power.

I will not again curtail Mr. *Hawles's* learned Remarks upon my Lord *Russel's* Tryal, on the Thirteenth of *July* 1683, yet I must observe how that that Day, whether my Lord of *Essex* killed himself or was to be killed, the King and his Brother were both in the *Tower* when the act was done, and immediate notice was sent to the *Old Bayly*, to give Notice of it to the Court, that in the worst Sense, Use might be made of it by the King's Council against my Lord *Russel*.

The Blaze of the Earl's having murdered himself, having had its designed Effect upon my Lord *Russel's* Tryal, the next Step was to satisfy the Nation the Earl murdered himself, and to this Purpose the Coroner's Inquest must necessarily sit and give their Verdict ; but so the Business was ordered, that before the Jury was impannelled, the Earl's Body

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dy was taken out of the Closet (where 'twas pretended murdered himself) and stript off his Cloaths, which were carried away, and the Closet washt, and when one of the Jury insisted upon seeing my Lord's Cloaths in which he died, the Coroner was sent for into another Room, and upon Return told the Jury, it was my Lord's Body, not Cloaths they were to sit upon, and when it was moved what they should adjourn, and give my Lord's Relations Notice, if they had any thing to say on my Lord's Behalf; was answered, the King had sent for the Inquisition and would not rise from the Council-Board till it was brought.

I do not find that when the like Practices were used, when the Coroner's Inquest found Sir *Thomas Overbury* died a Natural Death in the Tower, that Two Years after, when *Reves*, the Apothecary's Servant, made the first Discovery of Sir *Thomas* his being poysoned, that *Reves* was prosecuted for flying in the Face of the Government, and questioning the Justice of the Nation as Mr. *Sptake* and Mr. *Bradshaw* were for endeavouring to discover the Murder of my Lord of *Essex*. I'm sure their Inducement for the Proofs of theirs were manifoldly more than *Reves's* were of Sir *Thomas Overbury's*, and I wish I understood what their Crimes were more than *Reves's*; but that being for the King and Justice of the Nation, they ought to have been encouraged, if there had been no foul Dealing in the Earl's Death.

After the Death of these Noble Persons, the rest of the Game was plaid without scarce any Rub: Colonel *Sidney*, *Bateman*, *Walcot*, and *Rouse* followed for Treason all, and all of different Complexions, and where Treason could have no Colour, actually to take away the Laws of the Opponents of Popery and Arbitrary Power; Misdemeanours set on Foot to take away their Means of living; Fines from 10000, to 100000 l. for Words against the Duke; though by *Magna Charta*, a *Salvo Contentemento*, is reserved for Misdemeanors against the King, *Graham* and *Burton* would be liable for all, and the Sheriffs would return them to do their Work.

But the rage and Tyranny against the Opponents of Popery and Arbitrary Power, was not more illegal, than the Indulgence to the Lords Impeached by Parliament, for the King resolving to have more Parliaments, upon the present Constitution, made Judges to take Bail for them to appear next Parliament: Hereby as much Invading the Rights and Jurisdiction of Parliament, as the Judgments against *Fitz-Harris, Colledge, my Lord Russel, Colonel Sidney &c.* were illegal; which tho' at Common Law they might have been Treason; yet by the Statute of the 25th. of *Edw. 3.* the Judges in *Westminster-Hall*, were Prohibited to take Conusance of them: and by the Act of 13. c. 51. *Car. 2.* wherein the prosecution ought to be within six Months after the Fact, and the Indictment within three Months after.

Tho' the City of *London*, and many other Cities in *England*, chose their Sheriffs; yet the Sheriffs of all the other Shires, and Counties of *England*, were named by the King: so that the King's next care was how to Subvert the present Constitution of Parliament, and like *Oliver Cromwell*, have an House of Commons of his Own making: for the House of Commons, is Compounded of 513 Members, whereof but 92 are Knights of shires: so that meer $\frac{1}{5}$ are Burgesses, Citizens and Barons of the Cinque Ports: the Generality of the Corporations which send these Members are poor decayed Places, and so not able as the City of *London* to Contest their Charters, or if they Could they had little hope to keep them, now *London* could not hold theirs: Yet this would Cost the Court a great deal of time to bring *Quo Warranto's* against above

200 Corporations; and now all hands are set on work to prevail upon these poor Inhabitants, and mighty Rewards, are promised to those who should surrender them, but because Money was scarce, Bargains were made with multitudes of them, to have Grants of Fairs for surrender of their Charters and those which refused, had *Quo Warranto* brought against them.

To humour the Court, and in perfect hope that in time the Mountains would bring forth, a multitude of Corporations (or rather some loose vain Men, who Assumed the names of the Corporations) by heapes Surrendered their Charters; and at excessive Rates (I cannot say Renewed, but took new ones, whereby the King reserved to himself the Power of disposing of all places of Profit and Power, which at present was intrusted in their Hands who had betrayed their former Trust nor did these Men care for the Expence of purchasing their new Charter, tho' it were to the Starving the Poor of their Corporations, who should have been fed with the Monies expended in the Purchase.

But a multitude of lewd fellows, who in meaner Corporations, were all as willing to betray their Charters, as the richer, yet had not Money to Purchase new ones, and without it nothing could be had, and never was King furnished with such a Lord Keeper (for by this time North, who had drawn the King's Declaration against Petitioning for a Parliament, and for which he was impeached in Parliament and had so highly merited in *Colledges Tryal*, was made Lord Keeper) and Attorney General for taking Money with both Hands

Hands; tho' by their Oath's they ought to have, to the best of their Skill, informed the King of the Justice and Lawfullness of all those things which were to pass the Seals, and this put some stop to the hurry of the surrender of Charters.

But in these Corporations there were some Members, who made a Conscience of their Oath's, and betraying their Trusts, and according to the Obligation to both, performed their Duties, but these were persecuted as Rioters, and tumultuous Persons and fined extravagantly, even to their undoing, and Imprisoned till payment, and bound to their good Behaviour.

These things were not carried on with that Security, but some Umbrages of fear there was, that some disturbances might arise before they could be brought to perfection: to Quell them, if they should happen; *The Duke had secured Scotland, and had twenty Thousand Foot, and two thousand horse, and a Year's Pay, to be assisting upon all Occasions; a greater Liberty was given the Irish than ever; and to burn the Work, Tangier is demolished, and the Garrison, which was a Nursery of Popish Officers and Soldiers, is brought over, and placed in the most considerable Ports of England.*

Whilst the King is framing this goodly Structure, the French King, against his Faith at the Treaty of Nimeguen, by foul and base Treachery, seizes upon Strasburg upon the Rhine (the most considerable City of Germany) and by plain force, took Courtray, and the City of Luxemburg from the Spaniard: notwithstanding the late Treaty of Mutual assistance between the King, and Spain, and had encreased his Men of War at Sea to be more

and greater than those of the Kings; and his *New-foundland* Fishery, to be 20 fold more than it was in 1660. and the *English* sailn not to $\frac{1}{2}$ of what it was; yet in this dreadful state, the feuds of *Whig* and *Tory*, no ways abated and both so stupid, as if neither were concerned in this design, common to them both.

But tho' this most religious and gracious King (for so the *Tories* will have him, to whom all their Nonsensical Doctrines of *Passive Obedience* is due) had by the help, and indefatigable Industry of the *Tories*, laid this foundation for the ruin and destruction of this Church and State, yet he lived not to compleat this goodly Structure, for he died upon the 7th. of *February* 1684. it may be the sooner, because he made no more hast to do it.

The Character of King Charles II.

His Person vvas of a very well composed Structure, tall, above the ordinary stature of other Men not much; much more resembling his Grand-father *Henry* the 4th. of *France*, by his Mother, than his Father, or his Grand-father King *James*; and as in his Person he more resembled *Henry*, than either his Father or Grand-father *James*, so did he in his Humours, for both had lively and pleasant Wits, and would be wondrous facetious and pleasant with those which humoured them in their pleasures, and were of free access; whereas King *Charles* the Father, vvas grave and severe in his way, hard of access, and that by such streined Terms of Submission, as were never heard of before in *England*, and, I believe, no where else; and King *James* was flovently in his Behaviour, and more servile

servile to his Favourites, than they to him : Like his Grand-father *Henry*, *Charles* gave himself up to all sensual pleasures, without any controul ; but unlike his Father, who was temperate and chaste : Like his Grand-father *Henry* in the profession of his Religion, for both seemingly professed that which neither believed : Unlike his Father, who while he did what he would, was severely addicted to what he professed : Like to Father and Grand-father in Covetousness ; but like his Grand-father *James*, in profuse Prodigality to their Favourites, but unlike his Father and Grand-father *Henry* in *Parfimony*, ill becoming so great Kings : Like his Father and Grand-father *James*, in laying the foundation of the ruin of the Grandeur of *England* Abroad, and the Church and State at Home ; unlike his Grand-father *Henry*, who laid the foundation of the Grandeur of *France*.

Though *Henry* and *Charles* were esteemed clement and Merciful Princes, till the rage of the latter end of *Charles* his Reign ; yet both were most vindicative against any, who reproached their licentious Liberty in their lustful Pleasures ; as appears by *Henry*'s putting the Duke of *Biron* to death, (more as Sir *Walter Rawleigh* observes) for the Taunt he gave, when *Henry* brought *Madam Gabriel* to the Siege of *Amiens*, That she was the Fortune of *France*, than for *Biron*'s Conspiracy with the Duke of *Savoy* ; and by that of cutting off Sir *John Coventry*'s Nose, for the Report which was of Sir *John*, that he asked the Question, Which of the King's Favourites, Men, or Women. Unlike to both Father and Grand-father *James*, *Charles* was to his own Cousin *German*, the *Elestor Palatine*, for they both, at

least seemingly, endeavoured to have restored the Prince's Father to his Country, after he vvas dispossessed of it by the Emperor, and King of Spain, vvhence after this Prince vvas restored to a part of it, by the Treaty of *Munster*; this King, vvithout any Offence, or Provocation given him by the *Elector*, assisted the *French* to ruin and destroy it.

But he's gone, God knows by what means, and the possession of the Crown takes away all Attainders; and now he's gone, he left the Nation more vitiated and debauched in their Manners, than ever it was before by any other King; having not only squandred away the ancient Revenues of the Crown, which were esteemed Sacred, which should have supported it, against foreign Force, and intestine Discord; but left such a Debt upon it, as never before vvas heard of, nor contracted by such means, having prostituted the Majesty of his Crown, in becoming a Pensioner to *France*, and advancing that Interest to be as formidable and dangerous to the rest of *Christendom*, as to his own Dominions; and imbroiled his Subjects in intestine Feuds and Discords, as if thereby he designed them an easy prey to the *French*, and popish Interest; and having by Bribery and Corruption so vitiated all publick Offices both *Sacred*, *Civil* and *Military*, that they became habitual, and so fixt, that it vould become difficult, if possible to reform them.

And as this King's Actions were little and dark, so was his Funeral, for never any King, who died Possess, was so obscurely and Meanly buried; hurried in the dead of the night to his Grave, as if his Corps had been to be Arrested for debt and
not

not so much as the *Blew-Coat-Boys* attending it: His brother then King shewing as little gratitude to him for all his Favours, as he had done to the Nation for all their Loyalty, and incredible Summs of Money poyvred upon him; and as his Father, and Grand-Father, had not a Stone to cover their Graves, thereby to preserve their Memories in future Generations, so neither had he, nor any of his Name hereafter is like to have, as King of *England*.

But novv he is gone, all the dreadful Presages of the four last Parliaments are come upon the Nation: and nothing left to secure the Nation's fears, unless, that the Crowvn being so in debt, and the Excise for the Kings life dying vvith him: the Parliament would not be so prodigal of their Bounty, as to Grant this Kings Successor such a Revenue, vvhich might enable him to attain his Ends, by the ruin of the Church and state of *England*.

The Good Deeds of King Charles II.

1. **H**Is dispensing with the Act of Navigation in the first *Dutch* War, whereby he was enabled to continue the War against the *Dutch* two years longer than he did; and the *Dutch* otherwise might have fired the Ships in our Harbours a Year sooner, and forced the King to a more inglorious Peace, than that he made in the Year 1667. whilst the Parliament in the Temple it was in, sat still and took no notice of these things.

Objection.

If the King has power to dispense with the Act of Navigation, by the same Reason he may dispense with other Laws, and so the Laws of the Nation will be Loose, and subject to the Kings Will at his Pleasure.

Answer.

1. I wish all Legislators in passing Laws would be of another Temper, than when the Rump made this Law, which was in spite of the *Dutch*, without any consideration of the dreadful Consequences it has brought upon the Nation, both within and without; or in another Temper than the Parliament was in, in the 2d. Year of the King, when they passed, or Confirmed this Law, without any consideration of times, whether in War or Peace.

1. If the Act of Navigation had been in general good Law, yet times must be distinguished ; and in War, Civil Laws are silent : So that for the preservation of the Publick, the King may destroy particular Men's Interest as in case of firing the Suburbs of a City, to preserve the City, and destroy the Fruits of the Ground, rather than these shall sustain an Enemy to the Endangering the whole Nation ; but it was much more reasonable for the King to Grant Liberty, without any destruction, or Wrong to his Subjects, to dispense with the Act of Navigation, and give all Foreigners Liberty to Import Gunpowder, and all sorts of Naval Stores, &c. for the Nations preservation in the time of War with the *Dutch*. And I say, it was Prudence in *Oliver*, though in time of Peace, to dispense with the Act of Navigation in reference to the Trade to *Norway* and *Sweden*, after the *Norway* Merchants had represented to him, how grievously the *Norwegians*, by this Act imposed upon, not only the *English* Subjects, but upon *Oliver* himself in building and fitting up his Men of War.

2. The Second better Act of *K. Charles*, was his Dispensing with the Law against Foreigners Partaking the Benefitts of the Natural-born Subjects of *England* in permitting *Brewer* and his *Walloon*s (tho' *Papists*) after they Fled from the rage of the *French* Savages in *Flanders* in 1667, to Plant and settle themselves in the *West* ; whereby the *English* became instructed how to make and dye Fine Woollen Clothes 30 per Cent. cheaper than they could be before, and herein the King Imitated two of his most glorious Predecessors, that ever Reigned in
England,

England, I mean *Edw. 3.* and *Queen Elizabeth* Princes who no ways affected Tyranny, or Arbitrary Power

I say the King might Justly and Legally do this for tho' the King cannot dispense with Laws which have a complicated Interest with himself and Subjects, to the Wrong of his Subjects ; yet the King may dispense with those Penalties which properly belong to him, even in Criminal Cases, as to the Life and Estate of an Offender ; and therefore much more, where there is no Offence, and the end for the publick good : As in this Case of *Brewer*, and all other Foreigners, the Penalty is, if they Trade they shall pay Strangers Duties ; but this is to the King, and if he pleases, he may take no other Duties than his Natural Subjects pay, whereby the Foreign and Fishing Trades which are carried on in *Holland*, might be carried out of *England*, and thereby the Navigation of *England* become double or treble to what it now is, and the ruined, and ever desolate Coast Towns of *England* flourish, as *Hamburg*, *Amsterdam*, *Gottenburg*, *Diep*, *St. Maloes*, and other Ports. Would not this be not only for the enriching but strengthening the Nation, and that in a double proportion, for we should be so much more rich and strong here, as other Nations would be less, and in a worse state to make War upon us. Nay, should we only make our Ports free, as *Leghorn*, *Marseilles*, and as of late the Pope has *Civitavecchia*, Would not the Nation be so much enriched, as the Goods imported are more ? I would know from whence else it was that *France* became so enriched above all other Countries, (for Mines they have none) but from the vast Trade the

the English, Dutch, Swedes and Danes drove in
France.

And suppose the King should dispense with Foreigners purchasing Lands in *England*, and not take them, as he may do, if he pleases, whereby Millions of Money would be brought into *England*; the Lands we shall have still, and would not the Nation be so much more enriched hereby, as the purchase Monies are more? And would not the Nation be so much more Peopled and Strengthened, as the Purchasers are more; and the King's Revenue by Excise and Customs so much more encreased, as the Consumption of these and their Descendants shall be more. Merchant's to enrich themselves and the Nation run great hazards, and are often undone in their Merchandizing; whereas the Nation, nor any Man else runs any hazard by Foreigners purchasing Lands in *England*.

Ambitious Princes, to acquire more Subjects, run great hazard, and destroy and make Men miserable, and ruine Countries to accomplish their Designs; whereas none of these attend the permission of Foreigners, to trade and Inhabit among us; and when they are once settled, theirs, and the Nations Interest will be the same; and both alike obliged to defend them.

Xenophon in *Cyropædia* says, That by reason of the Goodness and Justice of *Cyrus* his Reign, many Nations became his Subjects: Will any say *Cyrus* was a less King hereby? Or should we be less a Nation, if by the benefit of our many Advantages in Trade, we should by others increase our Trade, which we cannot of our selves? Nay, should we not so much more enrich and strengthen our selves. When

I consider these things, I wonder Foreigners should be at such Charges to purchase their Freedom by an Act of Parliament, whenas the King may do it if he pleases; unless it be that their Posterity should not inherit; but if the King may permit Foreigners to Purchase without taking the Forfeitures; Grant them a License to Purchase, he may grant them a License to settle their Estates as they please.

3. The Third Good Act of *K. Charles*, was his Marrying the Queen to his Majesty, tho' by the manner of it, it seems to me he did it by surprize and I'm apt to believe, if he could well have come off from it again, he would have done it, as appears by the story.

4. We may add this fourth, that he bred up the Queen and her Sister, after the Religion of the Church of *England*.

A
DETECTION
OF THE
Court of *England*,
during the Reign of
King *JAMES II.* &c.

BOOK V.

WHAT before King *Charles* the 2d. acted in Masquerade, King *James* did bare-fac'd ; and here you'll see how plain and easy a passage, the *Absolute Will and Pleasure-Men*, and *Passive Obedience-Men* had made, for this King to over-throw the whole Church and State of *England* ; and by what steps he proceeded in it, the King's Speeches looking one way, and he going quite contrary.

Upon the 6th of *February* in 168 $\frac{4}{7}$ the Day of his Brother's death, the King declared in Council, That since it had pleased God to place him in that Station, to succeed so good and gracious a King,
as

as well as kind Brother ; that he thinks fit to declare his Endeavours to follow his Brother's Example, more especially in that of his great Clemency and Tenderneſs to his People, and make his Endeavour to preſerve the Government both Church and State, as it is by Law Eſtabliſhed Commends the Church of *England's* Principles and Members : Knows likewise, that the Laws of *England* are ſufficient to make the King as great a Monarch, as he can wiſh ; and therefore, as he will never depart from the juſt Rights and Prerogative of the Crown, ſo he will never Invade any Man's Property.

The next *Sunday* after his Brother's death, the King went publickly to *Maſs* ; and that Week (I think) he Ordered his Brother's dying in the Communion of the Church of *Rome*, and before his death, his Receiving his *Viaticum*, and other Ceremonies of that Church, and Atteſted by Father *Huddleſton*, to be printed ; and alſo the Papers taken out of the King's *Strong-box*, ſhewing ; that however he outwardly appeared otherwiſe in his life, yet in his heart he was ſincerely a true *Roman Catholic* : So that however he promiſed to preſerve the Church of *England*, as by Law Eſtabliſhed, yet his Profeſſion was of the Church of *Rome* ; which Curſes the Church of *England*, and declares them Hereticks, Schiſmaticks, and Sacrilegious Perſons, with whom no Faith is to be kept.

The King's Father, *Charles* the firſt, took the *Customs* before Granted by Parliament ; this King took both *Customs*, and the *Excife* granted only for the Life of his Brother, before they were given him by Parliament, how this correſponded with the

the King's promise but the Week before, that he would never invade any Man's Property, I do not understand: For though in every Government, no Man has Property against the Supream Power, yet by the *English* Constitutions, the Supream Power of the Nation is in the Parliament, in Conjunction with the King; and the King's taking both the *Customs*, and *Temporary Excise* for his Brother's life, by his only Will and Pleasure, was as much a Violation upon the *Property* of the Subject, as if he had taken the rest of their Goods and Inheritances.

To the King's promise of preserving the Church and State of *England*, as by Law established; he adds, That he will imitate his kind Brother, in his great Clemency and Tenderneſs of his People.

The first Act of the King's Clemency and Tenderneſs to his People, was extended to Dr. Oates; though the Act was compleated in this King's reign, the scene was laid in his good and gracious Brothers, when Oates was fined 100000 *l.* for *Scandalum Magnatum* against the Duke of York, in saying, *The Duke was reconciled to the Church of Rome*, and to be kept close prisoner till the Fine was paid.

Oates being thus mew'd up, upon the King's coming to the Crown, an Indictment of *Perjury* is conveyed against him, upon two points; one, that Ireland was not in *London* from the 3d. of *August*, in 1678, till the 14th. of *September* next following; when Oates in Ireland's Tryal said, *He was at a Conference concerning the killing the King about the middle of August*; the other was, That Oates was at St. Omer's all *April* and *May* in 1678, when Oates, in *Larcourt* and *Whitebreads*, &c. Tryal ſware, *They*
were

were at a Consult the 24th. of April, concerning killing the King, and Establishing the Popish Religion. But that a better view may be had of this Tryal of Oates, its to look back into King Charles the 2d's Reign.

It seems evident to me, that after the Dissolution of the Parliament at Oxford, and, I believe, it was to any other that shall read King Charles his History; that he designed never after to have another Parliament, until he should get the Corporations to surrender their Charters, so as they should Elect no other Members than pleased him, and in the mean time, to take off the Heads of those, who were zealous in prosecuting the Popish Plot.

Upon the Dissolution of the Parliament at Oxford the Feuds between the Whiggs and Tories were at the highest ferment; so that whatever was done against the Whiggs, was cried up by the Tories; and Addresses made by them to the King, that they would live and dye with him, in them: And because the Whiggs (as they were called) would not find Bills against my Lord of Shaftsbury and Colledge, they resolved to carry the Election of Sheriffs in 1681 wherein Mr. Dubtis and Papillion (Whiggs) stood Candidates, against Sir Peter Rich and Sir Dudley North (Tories) but they resolved, by Right or Wrong, Rich and North should carry it, and so they did, but by what Right, you may judge by the prints.

The Tories having gained this point, Sir R. Gra. and Burt. are Instruments for packing Juries the Judges, North, Pemberton and Saunders, &c. shall do their parts, for declaring Charters void, and for Trying Fitz-Harris, my Lord Russel, Collonel Sidney Sir Thomas Armstrong, &c.

But the taking off the Heads of the *Whiggs*, was half this Design, the Impeached Lords in the Tower must be let loose, or the Game was but half hid; this was so ticklish a point, that neither *Pemberton* nor *Saunders* could be brought up to it; but *Saunders* dying, and *Pemberton* removed to the Common-Pleas, Sir *George Jefferies* was set up to do this work, which he did to content, and so was initiated to do what other Journey-work the Court should order, and now before him *Oates* is to be tryed for *Perjury*, upon the two points afore-

Ireland was tryed above six Years before, viz. in December 1678, before a Jury of Judges in the Old Bailey, and so was *Whitebread* and *Harcourt* within about a Month less than six Years, viz. in June 1679. *Ireland* pleaded he was not in London from the 3d. of *August*, till the 14th. of *September*, and *Whitebread*, *Harcourt*, &c. pleaded that *Oates* was at St. Omers all *April* and *May* in 1678, so that if their Witnesses said true, 'twas impossible *Oates* his Testimony of *Whitebread's* being at the Consult in *April*, and *Ireland's* in *August* could be true.

That *Oates* was in Town in *April* and *May* in 1678, was proved by Sir *Richard Barker*, Mr. *Walker*, a Minister, Mr. *Clay*, a *Romish* Priest, Mrs. *Mayo*, *Sarah Ives*, Mr. *Smith*, (*Oates* his School-master, with whom *Oates* dined about the beginning of *May*) Mr. *Page* and *Bulter* (Sir *Richard Barker's* Coachman) But besides *Oates* and *Bedlows* swearing *Ireland* was at the Consult in *August*, only *Sarah Pain*, (who had been servant to *Grove*, one of the *Jesuits*) swore *Ireland* was in Town in *August*.

Oates thus mew'd up, the *St. Omers* boys are sent for over in all hast (and you need not doubt had new Instructions,) and the Crew of *Staffordshire* Witnesses; the Boys to swear *Oates* was at *St. Omers* all *April* and *May*; the *Staffordshire* Witnesses that *Ireland* was in *Staffordshire*, or thereabouts in *August* and *September*. *Jefferies* was the Judge, and you need not doubt of a Jury, to chime into *Jefferies's* summing up the Evidence.

Things standing in this posture, *Oates* is Tryed upon the 9th. of *May* upon *Perjury*, upon these two points. At the Tryal, *Oates* could get only four Witnesses to appear, (and 'twas a wonder he could get any) viz. *Mr. Walker*, the Minister, who after so long time, durst not trust to his Memory, to swear positively *Oates* was in Town, unless he should have the Minutes of his Examination before, and so *Mr. Page*; but *Mayo* and *Butler* both swore *Oates* was in Town; but unless *Sarah Pain* could be found, 'twas impossible for *Oates* to prove *Ireland* was in Town in *August*, for *Bedlow* was dead, and *Oates* could not swear for himself.

But *Ex tempore verum nascitur*. *Ireland* was Confessor to *Mr. John Fenison*, Father of *Mr. Thomas Fenison*, (a Jesuite in this Conspiracy, and who died in *Newgate*) elder Brother of *Mr. Robert Fenison*: This *Mr. Fenison* having been at *Windsor* in *August* 1678, came from thence to *Ireland's* Chamber the 19th, and found him pulling off his Boots on the frame of a Table, being newly come from *Staffordshire*: *Ireland* asked him from whence he came, who told him from *Windsor*: *Ireland* inquired about the Diversions of the Court, *Fenison* said his Majesty's chief Delight was in Hawking and
Fishing,

King, accompanied only with two or three ear-
 in the Morning : How easily then, might he
 taken off, answered Ireland : Then Ireland asked
 Fenison, if he would be assisting in taking off
 King, which if he would, Ireland said, he would
 give Fenison 20 l. which he owed Ireland : Af-
 Ireland asked him, if he knew any Irish Men
 who were couragious and stout, Fenison told him,
 knew Captain Levallian, Kerney, Broghall and
 Fenison ; then Ireland asked him if he would go a-
 with these, and assist in taking off the King,
 which he refusing, Ireland said he knew Levallian
 and Kerney, and set down the other two Names in
 writing, and said he was going to the Club to
 Coleman, Mr. Levallian and Kerney, and dunn'd
 Fenison for the 20 l. which he owed Ireland ;
 Ireland, at his death, denying he was in Town,
 from the 3d. of August till the 14th. of September,
 Fenison changed his Religion upon it, and prin-
 the Reason ; and after upon his Oath at my
 Lord Stafford's Tryal declared this, and a farther
 account of the Conspiracy against the King, and
 introducing the popish Religion.

If living Testimonies shall be doubted, yet I con-
 fide I shall put it out of doubt, that Ireland was
 in Town, when his Staffordshire Witnesses said he
 was in Staffordshire, by a Proof which could not be
 denied or corrupted.

One Mr. Benjamin Hinton, a Goldsmith in Lombard-
 Street, was Ireland's Casheir, and Mr. Hinton going out
 of Town at that time in Aug. 1678. met Ireland at, or
 about Barnet, coming for London, when Ireland told
 him, that he had extraordinary occasions for Mo-
 ney, and urged Hinton to go back with him, but

Hinton told him, his Man could do *Ireland's* business as well as he, and his Occasions would permit him to go back : I asked Mr. *Hinton* the truth of this, to which he would not give me an Answer ; but be this true or false, its entred in *Hinton's* Book of Accounts, paid to Mr. *Ireland's* hands whereas the other Entries are, paid by Order, and 'tis said Mr. *Hinton's* Man would *Dissemble* he paid these Monies to *Ireland* himself.

Mr. *Hinton* afterwards failing, a Commission *Bankrupt* was sued against him, and his Book Accounts were delivered, and kept at the *Widow Vernon's* Coffee-house in *St. Bartholomew Lane*, the back-side of the *Royal Exchange*, where any Man may see the truth of this Entry. I am assured Mr. *Hinton* was in Court at *Oates* his Tryal to have testified this, but was terrified from it for fear of being undone.

However *Oates* was found guilty of *Perjury*, upon both points in this Tryal, before *Jefferies*, and his Brethren, and his Sentence was to be whipt from *Aldgate* to *Newgate*, the next *Wednesday* after, and the *Friday* after (but a Day between) from *Newgate* to *Tyburn*, which was put in Execution with the utmost rigour ; the Stripes of the first Whipping, being so sore and green upon the second, that few other Men could have undergone the second to stand in the Pillory five Times in the Year, and to be a Prisoner during life, which was as close as his Whipping was severe : This was the first Act of this King's Clemency and Tenderneſs to his People, in imitation of his good, gracious and kind Brother, and this before any General Pardon (which is usuall upon Kings coming to their Crown)

the Parliament had met; but it might be easily pre-
 judged whereto this tended; and though it began
 with Oates, yet *Dangerfield* underwent as severe a
 punishment, but with a worse Fate, for discovering
 the *Meal-Tub* plot, to have thrown the *Popish Plot*
 upon the *Presbyterians*.

These were the preparations which King *James*
 made before the Parliament met, to demonstrate to
 the World and them, how sincerely he had made
 good his Promise to his Privy Council, That he
 would never invade any Man's property, and imi-
 tate his good and gracious Brother in his great
 Clemency and Tenderneſs to his people; and make it
 his Endeavours to preserve the Government both
 in Church and State, as it was Eſtabliſhed by Law:
 by Law, no New Laws can be made, nor Old
 ones Repealed, or the Subject taxed, but by Parlia-
 ment; But Flatterers in this King's Father, and
 Grand-fathers Reign, aſcribed theſe Powers to the
 King without Conſent in Parliament; and that O-
 bedience was due to their Abſolute Will and Plea-
 ſure; And the Paraſites of this King, and his Brother,
 did the ſame, but under a new Doctrin termed
Paſſive Obedience; but theſe Princes not truſting to
 this, would make a Parliament *Felo de ſe*; and by
 corrupting them in their Principles, ruine the Be-
 ing of them, and ſo to be at the ſole diſpoſing of the
 Prince.

The Houſe of Commons is made up of 513 Mem-
 bers, whereof 92 are Knights of Shires and Coun-
 ties, the reſt are Citizens, Burgeſſes, and Barons of
 the *Cinque Ports* ſo as the Knights of the Shires
 are not near one Fourth of the Houſe of Commons.
 The King creates the Temporal Lords in Parlia-
 ment,

ment, and Names the Spiritual; so that if the King can make the Members of Corporations to give up their Charters, and take such as he shall Grant, will be in his power to make above $\frac{4}{5}$ of the House of Commons.

The Parliament at *Oxford* being Dissolved, the Contrivance of the Court was to play this Game but because *Quo Warranto's* against all the Charters in *England*, though the King had made Judges, and the Sheriffs would be sure to return such Juries, and should be sure to do the Work, would take up so much time, as King *Charles* should never live to enjoy the Fruits of his Design ;

'Twas therefore contrived, that after the Court had got *North* and *Rich* Sheriffs, to return such Juries as should do the Work, to begin at the City of *London*, and if the Court could have Judgment against their Charter, few or none of the other Corporations would presume to abide the Contest.

So said, so done, for in *Trinity* Term in 1681 Judgment was given against the City Charter, yet there were three remarkable Observations upon it : First, It was without any President. Secondly, It was by two Judges only, and but two Arguments upon it, and no Reason given of it ; and Thirdly, It was ushered in but two days before, by pretending the discovering of a Plot to amuse the Nation; so as no Man presumed to take notice of the Legality of this Judgment, for fear of being prosecuted for Arraigning the Justice of the Nation, and flying in the face of the Government.

Hereupon swarms of the richer sort of Corporations surrendred their Charters, and took new ones,

James, as the King pleased, and paid dear for them, and the King in return of their kindness, granted them new Fairs and Markets ; but tho' the richer sort of the Corporations could pay the Keeper North, and Attorney *Sawyer* found Fees for their purchase ; yet a multitude of the meaner sort could not come to their Price, and without Money no New Charters could be had, which put a Rub to the completing this Work in King *Charles* his time, yet the good Will of the Members of these petty Corporations was not less.

The King's care for the Knights of Shires, was less than for the Corporations, for the Sheriffs, Lords, and Deputy Lieutenants, and Justices of Peace being of the King's nomination, and the *Tory* party having perfectly subdued the *Whiggs*, the King by the same Power which made North and Rich Sheriffs, could have what Knights of Shires he pleased.

King *James* made good his Word he promised his Privy Council, that he would never depart from the just Rights and Prerogatives of the Crown ; (of which, no question is to be made, but those which his good and gracious Brother had left him possess of were the principal) and how hasty soever he was after in his Actions, yet he took great care how to exercise the *Prerogative* his Brother assumed in modelling Corporations, to improve it to his utmost Advantage ; and therefore though his Brother died upon the 6th. of Feb. 1684. yet no Parliament met till the 19th. of May, and then they did not sit to Act before the 28th, which is much more than threefold the time from the Issuing out of the Writs, and the 40 days of their Meeting.

In the mean time all hands are set on work, to chuse such Members as should do the Court's work; they were sure enough of such Corporations, as had surrendred their Charters, and bought new Ones the beggerly ones, which could not come up to the Price of renewing their Charters, were graciously promised to have new Ones *Gratis*, as they after had, if they behaved themselves well in the Choice of their Members; the Lords and Deputy Lieutenants, were as imperious in the Choice of Knights of the Shire, as my Lord Mayor was in the choice of *North* and *Rich* for Sheriffs. But that we may take a better view of the Acts of the Parliament of King *James*, its fit to consider how the Case stood with the King.

King *James*, while he was Duke of *York*, was observed to be constant to his Word, and a true Friend, which made him more Courtted than his Brother; he had a Revenue of near 150000*l.* per *Ann.* and was a frugal and careful manager of it; and this he brought an Accession to the Crown, when he became King: King *Charles* had more built, and better furnished his Royal Palaces (which he had not given away) than any King of *England* before; and the Parliament about six Years before his death, had given him 600000*l.* for building thirty new Men of War, to make his Fleet more formidable than that of the *Dutch*, or *French* King, and the Nation in peace, unless among our selves; so that it might have been reasonably expected, a much less Revenue than what King *Charles* had, added to that of the Dukes, might have supported the ordinary Expence of the Crown, if no extraordinary should happen.

Notwith-

Notwithstanding all this, the King upon the 28th
 of May, told the Members, such as they were, the
 things he told his Privy Council, that he might
 seem to have said it by chance, and in return
 thereof, he expected they should settle his Revenue
(because he had taken it without them) during his life,
 it was in the time of his Brother, for the Well-
 being of the Government, which he must not suf-
 fer to be precarious, which I believe was the first
 time any King of England so Carressed a Parliament,
 that these (if they were worthy to be call'd a Par-
 liament) were made to his hand, the King might
 do and say to them what he pleased.

Before the Kings of the *Scottish* Race came to
 their rule over us, the Methods of Parliament were
 to represent the Grievances of the Nation, and up-
 on the Redress of them, the Parliament gave the
 King a Gratuity, which, before the 35th of Queen
Elizabeth, did never exceed one Subsidy, and two
 Tenths or Fifteenths, and the King in return, gran-
 ted an Act of Pardon to his Subjects: Thus a mu-
 tual Correspondence was entertained between the
 King and Kingdom.

But when King *James* the first came to the
 Crown, the representing the Grievances of the
 Nation, by his disorderly Reign, was Language in-
 tollerable to him, so that of four Parliaments (which
 were all he had in his Reign) in the last he bo-
 red, *He had broke the Neck of three of them*; and his
 son broke the neck of the four first Parliaments of
 his Reign; yet such was the temper of those Times,
 that to humor these Princes, the Parliament of the
 18th *Jac.* and the 1st. *Car.* 1. altered the Methods of
 Parliament, and that of the 18th. gave King *James*
 two

two intire Subsidies ; and that of the 1st. Car. gave the King *Charles* two entire Subsidies before Grievances were redressed ; King *James*, in return of their kindness, not only brake the neck of the Parliament, but committed many of the worthy Members close Prisoners to the *Tower*, for presuming to debate them : King *Charles* did not commit any Members of this Parliament (though he did his 3d. and 4th. Parliament) but brake the neck of the Parliament, rather than they should enquire into the Duke of *Buckingham's* Actions, and imbezilling the Monies given by the Parliament for the support of the *Palatinate*.

Heretofore Grievances were in the Nation, whereas at the death of King *Charles* the 2d. the whole Nation was in a most grievous and dangerous state, which the Parliament of King *James* (if it be worthy to be so called) took so little notice of, that instead of representing the state of the Nation to King *James*, they, without redressing any, gave him a Revenue, to enable him to ruin Church and State, upon the Foundation which his Brother had laid.

The first Act was to settle the Customs and Temporary Excise upon the King, as it was settled before upon his Brother ; but the King had little reason to thank them for them, for he took both before they gave them, and called them by that Title, His Revenue.

The third Act was an Imposition upon Wine and Vinegars, Imported between the 24th. of *June* 1635, until the 24th. of *June* 1693, towards a Supply for Repairs of the Navy, and providing Store for the Navy and Ordinance, and other his Majesty's

ty's weighty and important Occasions: *They shall find the weight and importance of his Majesty's occasions.* But this was not the only Reason; the Customs (which were 800000 l. per Ann. as granted to his Brother, and a greater Revenue than any King of England, except the Religious Houses granted to Henry the 8th., had before) would have done this: They add their thankful Acknowledgment of his Majesty's favourable and tender regard of his Commons; *They had but little Experience of it yet, and shall find less afterward.*

The 4th. Act grants an Imposition upon all Tobacco's and Sugars, from the 24th. of June 1685, to the 24th. of June 1693, for the Repairs of the Navy, and providing Stores for the Navy and Ordnance; and Payment of the Debt due to his late Majesty's Servants and Family, and other the King's weighty and important Affairs: But this Act being represented to be dangerous to the Trade of our Plantations, some of the Members said for the King, if it succeeded so, the King promised not to Collect them, so the Act passed: *But the Plantations being sore oppressed by this Act, claimed the Benefit of the King's Promise, but were answered, It was violence in any Subject to challenge the King of his Promise, which was all the Benefit they reaped by it.*

The 5th. Act granted the King an Imposition on all French Linens, and all East India Linen, and several other Manufactures of India, and French brought Silks and Stuffs, and all Brandies imported from the first Day of July 1685, to the first of July 1690. The reason of this Act was, the Duke of Monmouth's Rebellion, and the Acknowledgment of his Majesty's favourable and tender regard of his Commons. And

And that there might be a nearer-Conjunction between the King, and his dear Brother of *France* for carrying on their great and important Affairs, the Parliament repealed the Prohibition of *France* Wine, Vinegar, Brandy, Linen, Cloth, Silks, Maps, Paper, or any Manufactures made or mixed with Silk Thread, Wool, Hair, Gold, or Silver, or Leather, being of the Growth and Manufacture of *France*, by the 29th. and 30th. of King *Charles* the Second.

The 9th. Act enables the King to make Grants of Leases and Copies of Offices, Lands, Tenements and Hereditaments of the Dutchy of *Cornwall*, or Annexed to the same, and if this were not enough, confirms the Grants already made: So that all the sacred Patrimony of the Crown, which was mis-squandred away by his Brother, this King is Intitled to do by Law.

Yet after all this, that this good King might be at no unnecessary Charges, the 10th. Act makes provision for necessary Carriages for him, in his Royal Progress and removal, how grievous soever to the Subject.

The 11th. Act provides Carriages by Land and Water, for the use of his Majesty's Navy and Ordnance.

And after all this, the 18th. Act grants the King five Shillings *per Tun*, extraordinary upon every Voyage, which any foreign Ship shall make from Port to Port in *England*, and twelve Pence *per Tun* for every Voyage which a foreign built Ship, not free, shall make.

I have heard this Revenue with the Hereditary Excise, and the other Revenues of the Crown

com

puted at 2400000 *l. per Ann*; to which Revenue if you add 150000 *l. per. Ann*: which the King had when he was Duke of York, the whole will amount to two Millions five Hundred and fifty thousand Pounds *per. Ann*, which was threefold more than ever any King of England, (except Hen. 8.) had before this King's brother.

But *Quorsum Hæc*, for except the Tumult, which the Duke of Monmouth raised, the Nation was at peace abroad; so that by Granting the King this Revenue, one of these two Consequences would necessarily follow: Either the King might maintain an Army of Forty thousand Men to ride the Nation, as he pleased; or if he would contract his Expence to 700000 *l. per Ann*. (which I say was a greater Revenue than ever King of England, except Hen. 8. had before his brother) he might in less than seven Years time, hoard up more Money in his Exchequer (allowing ten Millions to be in England) than was in the Nation; and thereby rendered the Nation in as bad a state, as Egypt was in the Reign of Pharaoh, in the seven Years famine, when the Egyptians were forced to sell the King their Land to buy them bread. Now let's see to whom this Revenue was given, and who gave it.

The King was a *Protest Jesuited Papist*, whose Principles are, That not only the Givers of this Revenue, but the whole English Nation (except the Popish faction) are Schismaticks, Sacrilegious Persons, and Hereticks, with whom no Faith is to be kept; and could any Man believe this profuse Donative which these Men, who called themselves a Parliament, could change the King's Nature,

ture, and the Principles of the *Jesuits*, which forsooth, must be infallible, so that the King should neglect these, and imploy this Revenue for the benefit of those Schismaticks, Hereticks and Sacrilegious Persons.

And if in all free Assemblies, a violence or contempt upon any one who hath a Right of Suffrage invalidates all the Acts of that Assembly; what then shall be deemed of this House of Commons where such Violences were offered in the Election of the Knights of shires, and where so many Corporations, were either over-awed to surrender their Charters; or had perfidiously against their Oaths given them up to take new ones, as the King pleased? And if the first Act of *Hen. 4.* repealed all the Acts of the *21 Rich. 2.* because they Intrenched upon the fundamental Rights of the Nation, I'm sure there is more Reason for the Parliament to repeal all the Acts of this pretended Parliament, where so many Violences and Frauds were done before their Assembly; which we do not read were done, before the Parliament of the *21 Rich. 2.* met.

And as this grave Assembly had heaped such a Revenue upon the King, without redress of one Grievance; they took no care to secure the Nation, by a General Act of Grace or Pardon for time past, but left all to the King's good Nature, who had promised to imitate his good and gracious Brother, but especially in his great Clemency and Tenderneſs to his people. And now the Parliament had done the King's work, they had done their own too; and for the time to come, he will do what he pleaseth without them; yet at present, he

only prorogued them till *November* following, when they shall hear more of his mind: And 'tis time to see what the King acted before.

The first Act of Gratitude which the King testified to the Memory of his good and gracious Brother, was his obscure, and more Mean burial of him, than was ever done to any King, who died of a Crown: In the dead and silent time of the Night, as is said before, not so much as the *White-Coat Boys* to attend his Corps, from *White-Hall*, to *Henry the 7th's Chappel*; nor would the King at ten Groats Charge for a Stone to cover him, that the Place of his burial might be as difficult to be found, as was that of his Father, or Grandfather.

After the King had defeated the Tumult, raised by the Duke of *Monmouth*: his next Act of Gratitude to his kind Brother, was to sign a Warrant of Execution for the Duke, (his Brother's beloved Son) without any Trial, or Process of Law against him: But his Grand-Father *James the first*, had either done the like, at least, not unlike it: When he came to *Newark* upon *Trent*, in his passage to *London*, at his first coming to the Crown, he was said to Cut a Purse, whereupon the King without more ado signed a Warrant for his Execution to the Sheriff, and the Poor fellow was executed accordingly.

The Duke suffered upon the 15th. of *July*, but the Issue of blood did not stanch with him, for towards the latter end of *August*, a Special Commission of Oyer and Terminer was Granted to Sir *George Jefferies*, and four other Judges, to try the Duke

Duke of *Monmouth's* Adherents in the *West*: But as the Duke suffered without any Tryal, and was unjustly put to death, so I believe, this Commission was initiated by such a Tryal, as can scarce be paralleled by any other, and this was the Case.

Alicia Lisle, a Woman of Extream Age, was wife of *Lisle* (one of King *Charles* the first Judges, and who was president of the High Court of Justice, as 'twas then called, in the Tryals of Duke *Hamilton*, the Earl of *Holland* and my Lord *Capel*; and also in the Tryal of Sir *Henry Slingsby*, Dr. *Hewet*, &c.) and had entertained, after the defeat of the Duke of *Monmouth*, one *Hicks* (a Nonconformist Minister) who was with the Duke, not in any Proclamation that he was so; and on *Richard Nelthorpe* (a stranger to Mrs. *Lisle*) who was in the Proclamation, and Out-lawed of High Treason; for which she was tried at *Winchester* for High Treason, for Conforting and Assisting Rebels.

It appears by the publick Prints, the Jury were so unsatisfied by the Evidence; (*Hicks* not being in any Proclamation, and *Nelthorpe* unknown to Mrs. *Lisle*, that they thrice brought her in Not Guilty,) at last, upon *Jefferies* threats, they brought her in Guilty of High Treason, and so had sentence passed upon her accordingly, which in Women is to be burnt, but the Execution was by Beheading of her, so that whether the Sentence was Just or not, the Execution was unjust; for though the King may pardon or mitigate the Punishment of any Crime against him, as to pardon Treason or to mitigate the Execution to beheading, which

part of the Sentence; yet he cannot alter the Punishment into any other than the Law prescribes; but the Convention after King *William* came in, were so dissatisfied in her case, that tho' they could not restore her to life, yet revert the Judgment for her death.

From this uncertain Justice, *Jefferies*, and his Brethren, make hast to proceed in their Commission *Summo Jure*, and from *Winchester*, by *Salisbury* upon the 3d. of *September* (a day famed for *Oliviers* victory over the *Scots* at *Dunbar*, over King *Charles* the 2d. at *Worcester*, and for his death) arrives at *Dorchester*; and because time was precious, the next day *Jefferies* contrives this Stratagem to shorten his Work.

Thirty Persons being found by the Grand Inquest to have assisted the Duke of *Monmouth*, when they came upon their Trials, and before they had pleaded, *Jefferies* told them, that whosoever Plead- ed *Not Guilty*, and was found so, should have little time to live, and if any expected Favour, he must plead *Guilty*.

But the Prisoners trusted little to what *Jefferies* said, and pleaded, *Not Guilty*, yet 29 were found *Guilty*; and immediately Sentence was passed upon them, and a Warrant of Execution signed upon *Monday* following, after which a couple of Officers were sent to the Goal, to take the names of all the Prisoners, who told the Prisoners, if they Confest, they might expect Mercy, otherwise none was to be hoped for; these Wretched men thus wheadled, pleaded *Guilty*, and so at one Sentence *Jefferies* Condemned 292, whereof 80 were Executed.

From *Dorchester*, *Jefferies* proceeded to *Exeter* and used the same Stratagem, as at *Dorchester*, for one Mr. *Fower Acres* being Arraigned, and pleading *not Guilty*, yet being found so, had immediately Sentence passed upon him, and Execution awarded upon it; whereupon 243 pleaded *Guilty*, and by one Sentence had Judgment passed upon them.

From *Exeter* *Jefferies* marched to *Taunton*, where some few pleaded *not Guilty*, but being found had immediately Sentence and Execution awarded; the rest terrified pleaded *Guilty*, and had Sentence passed upon them; and from thence *Jefferies* marched to *Wells*, where he finished his bloody Affairs, and where and at *Taunton* he Condemned above 500 whereof 239. were Executed, and had their Heads and Quarters set up in the principal Places and High Roads of *Somerset* and *Dorsetshires*, to the terror of Passengers, and annoyance of those parts. In these Executions I find one remarkable Story, its printed in a Treatise called *the New Martyrology*, fol. 478.

Colonel *Holmes*, and eleven more of those Condemned at *Dorchester*, were carried from *Dorchester* to *Lime* towards their Execution, by six in a Coach and six in a Cart; and at *Lime* they were put into a Sledg, prepared to carry them to be Executed but the Horses, could not be driven to go, but turned backward: whereupon the Coach-horses were taken from the Coach, and put to draw the Sledg, but then the Sledg broke, so as the poor Men were forced to go on their feet to their Execution.

I will not dispute the Justice of these Executions; but I say, Justice ought to look forward, viz. to terrify others from committing like Crimes; not backward, to take pleasure in punishing: and a black brand of Infamy is set upon the Reigns of those Princes, which shed much Blood, nor do we read in any story, such a Sea of Blood flowed from Justice, as did in less than 8 Months after this King began his Reign; and that which added it more remarkable was the King's Promise to his Privy Council, and after to the Parliament, that he would imitate his good and gracious Brother, but above all in his great Clemency and Tenderneſs to his people.

But if Justice looked forward in *Jefferies* Executions, it did not in *Kirk's* (who was one of King *James's* Major Generals, in the Expedition against the Duke of *Monmouth*) who when after the Duke's defeat he came to *Taunton*, caused 90 wounded Men, who had been taken Prisoners, not permitting their Wives, or Children to speak to them, to be Hanged; with Pipes playing, Drums beating, and Trumpets founding, and after their Bowells to be burnt, their Quarters to be boiled in Pitch, and hang'd in several parts of the Town; and I have heard, that when afterwards *Kirk* was charged with this Inhumanity, he excused it, that he could do no less, it being but part of the Instructions he had from the Right Honourable the Earl of *F——*, General in this famous Expedition.

As yet no Pardon could be hoped for to any one, but by those which could purchase it by the Ruine of their Estates; and those which could not

purchase one, were sold for Slaves to the Plantations.

When Justice could take no further place, that out comes a Pardon, but so ridiculously cruel and will scarcely be believed; for not only those who escaped were Excepted, but a Company of Girls some of 8 or 9 Years Old, who had made some Colours, and presented them to the Duke of *Monmouth*, while he was at *Taunton*, these were excepted by Name, and no Pardon could be purchased for the Treason, till the Girls Parents had paid more for it, than would have provided a Marriage-Portion when they should come of Age.

But suppose the King did imitate his good and gracious Brother in his great Clemency and Tenderness to his People, and that Justice only looked forward in these Executions; yet we will give Instances, wherein this King did not imitate his good and gracious Brother, in his great Clemency and Tenderness to his people.

Alderman Cornish, tho' he had committed two horrible Crimes in the Reign of King *Charles*, one in presuming to examine *Fitz-Harris*, while he was a Prisoner in *Newgate*, before he was hurried from thence to the *Tower*, to prevent his further Examination; the other, that he testified against *Fitz-Harris* his Tryal, that the King (*Charles*) told Mr. *Cornish*, that the King did countenance *Fitz-Harris* in his design, and had given him money; yet King *Charles* was so Good and Gracious as not to take away Mr. *Cornish* his life.

But the Offended Ghosts of *Coleman*, *Ireland*, *Harcourt*, &c. were no ways appeased by the blood which flowed from the Stripes of *Oates* his sentence

ence; nothing less than a Sacrifice of Humane Blood must be offered to them, and this to be performed by affixing Sacred Justice to it.

Upon *Tuesday* the of *October*, Mr. *Cornish* having no dread of any Accusation upon him for any Crime, but freely following his Profession, was clapt up Close Prisoner in *Newgate*, without use of Pen, Ink or Paper till *Saturday* Noon, when he had Notice of an Indictment of High Treason against him on *Monday* next, and could get no friend to come to him till 8 at Night: Next day Mr. *Cornish* his Children petitioned the King to have his Tryal put off, which was referred to the Judges (who you may be assured had their Instructions) who denied it, tho he knew not whether his Trial were for Treason against this, or the late King; and his most material Witness was above 140 Miles off; and was also denied a Copy of th Pannel of his Jury.

The Charge of High Treason against him was, That in the Year 1682, he had promised to be assisting to *James* late Duke of *Monmouth*, *William Russel*, Esquire, and Sir *Thomas Armstrong* in their Treasons against King *Charles* the 2d.

The only Witness to prove this was Colonel *Ramsay*, who swore that about the latter end of *October*, or begining of *November*, at Mr. *Sheppard's* House, *Ferguson* told Mr. *Cornish* that he had read a Paper to the Duke of *Monmouth*, Lord *Russel*, Lord *Grey* and Sir *Thomas Armstrong*, which they desired he should read to Mr. *Cornish*; that Mr. *Sheppard* held the Candle, while it was reading, and afterward they asked Mr. *Cornish* how he liked it, who said he liked it very well; he remembered two

points in it very well; one was for *Liberty of Conscience*; the other was, *That all who would assist in that Insurrection who had had Kings Lands or Church Lands should have them restored to them.* *Rumsey* did not hear all the Paper, but observed only these two Points; it was a Declaration on a Rising, and when the Rising was to have been, it was to have been dispersed abroad: there was a Rising intended at that time; and *Mr. Cornish* said, *He Lik't the Declaration, and what poor Interest he had he would join in it.*

Rumsey had sworn at my Lord *Russel's* Tryal that *Mr. Cornish* was not at the Reading of the Declaration by *Ferguson*, and being taxt for it in this said it was out of compassion to the Prisoner and *Mr. Sheppard*, who was *Subpenad* for the King testified *Mr. Cornish* was not there.

Richard Goodenough was the other Witness, which was about Words foreign to *Rumsey's* testimony about seizing the *Tower*, and a Rising in the City which if what *Goodenough* said had been true, yet *Mr. Cornish*, could not have been found Guilty of Treason: for tho' by the first Act of the first Parliament after the Convention of *Charles* the 2d Words were made Treason against the King during his life; yet were they to be prosecuted within six Months, and the Person to be Indicted in three Months after, whereas these Words were pretended to be spoken in *Easter Term* in 1683. which was two years, and one half before.

Add hereto the Words were imperfectly said by *Goodenough*, and might be applicable to a pretended Riot, wherein *Mr. Cornish* was concerned; and that *Goodenough*, was upon ill Terms with *Mr. Cornish*, because

because he would not trust *Goodenough* to be his Under-sheriff. You may read the Tryal at large with Mr. *Hawles* his fine and learned Remarks upon it; and how rudely Mr. *Cornish*, and his Winesses were used at his Trial, and how notwithstanding his Quality, after Conviction, he was Tied, as if he had been a boisterous and dangerous Rogue, and that by Order; and executed with the utmost rigor of the Law for this far fetched and ill proved Treason; But these *Tories* shall soon see they labour for others, not for themselves; and these whom they now persecute, shall have the Ascendant over them: and I observed this of Sir *Thomas Jones*, who was Chief Justice of the *Common Pleas*, and most active in this Tryal; that he was one of the first, if not the first, who was turned out of his Place, for giving his opinion the King could not dispense with the *Test* and *Penal Law's*.

The Design thus deep stained in Human Blood, first budded in *Ireland*, but whether it was in affirmation of the King's Promise to his Privy Council, and after repeated by him in Parliament, that he would make it his endeavour to preserve the Church and state of *England*, as by Law Established, let any Man who reads the following story Judge.

The book stiled the *State of the Protestants in Ireland*, said to be written by Bishop *King*, fol. 58 say's, That King *James* was no sooner settled in his Throne, but he began to turn out some Officers, who had been most zealous for his Service, and had best deserved of him, meerly because they had been counted firm to the Protestant Religion,

Religion, and the *English* Interest, and names my Lord *Shannon*, Captain *Robert Fitz-Gerald*, Captain *Richard Coote*, Sir *Oliver St. George*, and put in their Places, *Kerney* (one of the *Ruffians* designed to Murder *Charles* the 2d, *Anderson* (a mean fellow) *Seldon*, a Profest Papist, and one *Graham*, and fol. 59, faith, the Duke of *Ormond* was sent for abruptly, and divested of the Government; and immediately the modelling of the Army was put into the Hands of Colonel *Richard Talbot*, a Man of all others most hated by the Protestants, and who had been named by Mr. *Oates* in his Narrative for this very Employment, so that many who believed nothing of the Plot before, now gave Credit to it, and said, *that if Oates were an ill Evidence, he was certainly a good Prophet.* Now lets see the Character the Bishop gave *Talbot*, and the manner of his reforming the Army.

Talbot knowing how necessary it was to have the Army fitted for his purpose, prosecuted it in such manner, as might be best expected from a Man of his insolent Temper. He exercised, at the same time, so much barbarity and falshood, that if the Army had not been the best Principled with Loyalty and Obedience in the World, they had mutined, or at least dispatched him. In the Morning he would take an Officer into his Closet, and with all the Oaths, Curses and Damnations that were never wanting to him, he would profess Friendship and Kindness to him, and promise him the continuance of his Commission, and in the afternoon casheer him with all the contempt he could heap upon him; nay, perhaps while he was thus carressing him, he had actually given away

his

Commission: As for the Soldiers and Troopers, the way with them was, to march them from their usuall Quarters, to some distant place, where they thought they were least known, where they could be put to greatest hardships, and there he stripped them; the foot of their Cloths for which they had paid, and the Troopers of their Horses, Boots and Furniture, bought with their own Money, and set them to walk bare-footed, one Hundred, or one hundred and fifty Miles, to their homes, or friends, if they had any: Sometimes he would promise them something for their Horses, but then they must come to *Dublin* for it: If any came to demand the small pittance he had Promised them for their Horses, or Arrears of Pay, he contrived it so, that they should be Obligated to wait till they had spent twice so much as they expected, and most of them after all got nothing. By which means 200 or 300 *English* Gentlemen, who had laid out all or a good part of their Fortunes, and contracted Debts on Commissions, were left not worth any thing, but were turned out without Reason, or any Consideration, and five or six thousand Soldiers sent a begging, yet this *Malbot*, Bishop *Tyrrel*, so early as in *July* 1685. (in the Interval of King *James* his Parliament) recommends to the King, as the most fit Man to be Lord Lieutenant of *Ireland*, as you may read in his letter to the King in Bishop *King's* Appendix fol. 295. so that what ever the King said, either to his Privy Council, or Parliament, he was proceeding on his design, he had been long before contriving.

I do not find the Parliament at their next meeting in *November*, took notice of any of these things but the King in his Speech to them at their meeting, made it (to me it seems) plainly appear he designed the same in *England*, which he was practising in *Ireland*,

He told them that the *Militia*, so much before depended on, was not sufficient for his Occasions and that nothing could do but a good force of well disciplined Troops in constant Pay to defend us from such, as either at home or abroad, are disposed to disturb us. That in truth his Concern for the Peace and Quiet of his Subjects, as well as for the safety of his Government made him think it necessary to encrease the Number as he had done. This he owed as well to the Honour as Security of the Nation, whose Reputation was so infinitely exposed to all our Neighbours, by having been laid open to the late wretched attempt (*Monmouths*) that it is not to be repaired without keeping such a body of Men on foot, that none may ever have the thought again of finding us so miserably unprovided. That it was for the Support of this great Charge which is now more than double what it was, that he asked their Assistance in giving him a Supply answerable to the expence it brings along with it. That he could not doubt, but what he had begun, so much to the Honour and defence of the Government, would be Continued by them with all Chearfulness and Readiness which is requisite for a Work of so great Importance.

Then he goes on and says, let no Man take exception that there are some Officers in the Army not Qualified according to the late Tests for their

employments. These Gentlemen, (he said) he must tell them, are most of them well known to him, and having formerly served him on Several Occasions and alwayes approved the Loyalty of their principles by their practice, he thinks them now to be employed under him, and that he would deal plainly with them, that after having had the benefit of their Services, in such a time of need and danger, he will neither expose them to Disgrace, nor himself to the Want of them, if there should be another rebellion to make them necessary to him,

Then he cajolls them, and tells them he is afraid some Men might be so wicked to hope and expect that a Difference might happen between them and him; But when they Consider what advantages had arisen to him and them, in a few months by the good understanding they have hitherto had, what wonderfull Effects it had already Produced in the Charge (Change) of the Whole Scene of affairs abroad, so much to the Honour of the Nation, and the Figure it ought to make in the World, and that nothing can hinder a further progress in this way to all their Satisfaction, but Jealousies and Fears among our selves; he will not apprehend that such a Misfortune could befall him and them, as a Division, or but coldness between them; Nor that any thing could Shake them in their steadiness and Loyalty to him, who (by God's blessing) would alwayes make them all returns of Kindness, with a Resolution even to venture his own life in the Defence and true Interest of this Kingdom,

Here

Here let us see how this King's Speech corresponded with that to his Privy Council, and that of the 28th. of *May* before, and his Actions between the Prorogation and meeting of the Parliament, and I will speak it in the Person of the King.

At my first comming to succeed so good and gracious, as well as so kind a Brother; I then Promised to endeavour to follow his example, and more especially in his great Clemency and Tenderness to his people; his kindness to me I have endeavoured to shew in his solemn Burial, and the Execution of his Son, without any legal Tryal, or Process; and sure none of you but must needs take notice how I have endeavoured to imitate him in his great tenderness and Clemency to his People, not only in the mercy I extended to those who Assisted in *Monmouth's* Rebellion; but in the Tryals of *Oates* and *Cornish*, tho my good and gracious Brother, thought it not fit so to do.

I then told you, as I would never depart from the just Rights and Prerogatives of the Crown, so I would never invade any Man's Property; but this must be only understood in *England*, for since that, I have given Colonel *Richard Talbot* (whom I intend to make Lord Lieutenant in *Ireland*) an Independent Commission to reform the Army in *Ireland*, and to take the Troopers Horses, Pistols, Swords and Boots; and the Arms and Cloathing of the foot, which they had bought and paid for, without paying for them.

I then told you, I would endeavour to preserve the Church and State of *England*, as established by Law; but I now tell you, that I have imployed some Officers in the Army, not Qualified according

ing to the late Tests, and will deal plainly with you, I will neither expose them to disgrace, nor my self to the want of them.

The Militia is not Sufficient for my Occasions, nothing but a good force of disciplined Troops in constant Pay will do it; and to that purpose, I think it necessary to increase the Number to the proportion I have done; viz. double, for which I ask your assistance in giving me a Supply answerable to the Expence it brings along with it.

Tho' I have disbanded the Army in *Ireland*, which were as true *Passive Obedience-Men*, as could be got for Love or Money, yet were they not fit for my Occasions; and tho' I have increased my Army in *England*, to such a proportion as you now see, and Officered with such Officers, as are not qualified by the late Tests, yet they are fit for my Occasions, and for which I ask your Assistance in giving me a Supply answerable to the expence, it brings along with it: Yet let no Man be so wicked, as to hope this may put a difference between you and me; but Consider what Advantages have arisen to us in a few Months, by the good understanding we have hitherto had, and the wonderful Effects, it hath already had. Now let's see what influence this King's Speech had upon the Members.

The Lords hand over head, Ordered thanks to the King for his good and gracious Speech; but it did not Pass so hastily with the Commons, but they debated it Paragraph by Paragraph; and because the *Militia* had not been so forward as the King would have had them, they voted that they would take into their Consideration, how to make it
more

more useful in time to come, in case such dangerous Attempts should be made, as in Monmouth's Rebellion, and upon the 16th. of November made this Address to the King.

Most Gracious Sovereign.

WE your Majesty's most loyal and faithful Subjects the Commons in Parliament Assembled, do in the first place (as in duty bound) return your Majesty our most humble and hearty Thanks, for your great Care and Conduct in the suppression of the late Rebellion which threatned the overthrow of this Government both in Church and State, and the utter extirpation of our Religion as by Law Established, which is most dear to Us which your Majesty has been graciously Pleased to give repeated Assurances you will always defend and Support which with all grateful hearts we shall ever acknowledge.

We further crave leave to acquaint your Majesty that we have with all Duty and readiness taken into our Consideration, your Majesty's gracious Speech to us And as to that part of it relating to the Officers in the Army, not qualified for their Employments, according to an Act of Parliament made in the 25th. Year of the reign of your Majesty's Royal brother of blessed Memory. Intituled, An Act for preventing dangers which may happen from Popish Recusants, We do out of our bounden Duty humbly represent unto your Majesty, that these Officers by Law be incapable of their Employments, And that the dangers they bring upon themselves thereby, can no ways be taken off but by Act of Parliament: Therefore out of the great Deference and Duty we owe unto your Majesty, who has been so graciously pleased to take Notice of their Services to you, we are preparing a bill to pass both Houses for your Royal Assent to
Indem-

redemmy them from the penalty they have now incurred; and because the continuance of them in their employments, may be taken to be a Dispensing Power with that Law about Act of Parliament, the Consequence of which is of the greatest Concernment to the Rights of all your Majesty's faithful and loyal Subjects, and to all the Laws made for security of their Religion. Wee therefore the Knights, Citizens and Burgeses of your Majesty's House of Commons, most humbly beseech your Majesty, that you would be graciously pleased to give such Directions therein, that no apprehension or Jealousies may remain in the hearts of your Majesty's good and Faithfull Subjects.

This Address was like the shutting the Stable-door when the Steed was stoln; these Commons had no such Apprehensions, when they heaped such an exorbitant Revenue upon the King, to enable him to maintain an Army of 40000 Men to ride them; and the Nation, as he pleased; and now they see the King drive a way, which tends to the Nations, as well as their Destructions, they tell the King such ways may give apprehensions and Jealousies in the hearts of his Majesty's good and faithful Subjects: Did not the Commons in all the four Parliaments in King Charles the 2d's Reign, declare what would be the consequences of the Duke of York's comming to the Crown; and did the Duke's Actions, while he was Regent in Scotland, any ways alieviate those Parliaments fears? Would this Parliament (as 'twas called) now they were got together again; and saw Colonel Talbot with an Independent Commission from the Lord Lieutenant, so barbarously disbanding the Army in Ireland because Guilty only of being Protestants, yet believe the King would admit of no Papists in his

his Army in *England*? Could they believe the once washing would make a Black-more white? Or that the once Proffessing of the King, who was a *Jesuited Papist*, that he would maintain the Church and State, as by Law established, would wash out all the Jesuite principles which had taken such deep root in him, that no Faith, is to be kept with Hereticks, which the King esteemes these who had prostituted him with such a vast Revenue, and all the Nation besides, who were not of his Faction; but that by Fire, Faggot, and all other such means they were to be rooted out and grow no more upon the face of the earth?

The Bishops retained fresh in memory, during the Reign of King *Charles* the 2d. the Indignities the Factions in the late times had shewed to the Order, and the Violences they suffered in their Persons and Revenues, so that they were not only opposite to the Commons in passing the Bills, which the Commons had prepared, for Uniting the King Protestant Subjects, when they perceived the danger the Nation was in by the popish Designs; but stoutly opposed the passing *The Bill of Exclusion* against the Succession of the Duke of *York*, and all along King *Charles* his Reign, countenanced the Doctrine of *Passive Obedience*, as thinking themselves, and their Order most secure under it; but herein their Politicks failed them.

For now the Bishops perceived a more terrible Storm coming upon them, by a Faction who never shewed mercy to any opposite to them, when ever it came in their power; and the Doctrine of *Passive Obedience* had made a plain and easy passage for the popish Faction to take possession of the
Power

power: The Bishop of London, therefore, after the Lords had voted an Address of Thanks to the King for his Speech, moved in the name of himself, and all his Brethren, that the House would debate the King's Speech, which, as it was extraordinary and unusual in the House, so was it not less surprizing to the King and Court, who now dreaded the Lords would concur with the Commons in their Address; to prevent which, the King first Pro-rogued, and then Dissolved the Parliament, and never called another in all his Reign: And thus the King made good to the Parliament, in his Speech to them the 28th. of May, *That the best way to engage him to meet them often was, to use him well, and not expect that they would comply with him in what he desired, and that they would do it speedily, that it might be a short Session, and that he, and the Parliament might meet again to all their Satisfaction, and for the Bishop of London, the King shall remember his Motion in due time, when he shall plead no Privilege of Parliament.*

The King having so ill performed his Promise to the Parliament, of often meeting them, where he might hear of it again, which by no means he would endure; after he had Dissolved them, had a fair field without any Rub to do what he pleased, and to petition him, or to represent the Grievances of the Nation out of Parliament, shall be an high Crime next to High Treason: And now 'tis time to observe the Steps the King proceeded by, to maintain the Church and State of *England*, as by Law Established.

His Brother had laid the Foundation of making a Parliament *felo de se*, by hectoring, and making
 F f f f Bargains

Bargains with Corporations to Surrender their Charters, and taking new ones from him, whereby he reserved a Power, that if they did not send such Members as pleased him, he would returne the Charters he granted them; and herein he made a great progress, till his Keeper and Attorney General refused to grant new Patents to such poor Corporations, as could not pay their Fees, so as a new Keeper or Chancellor, and Attorney General must be had, who would grant Patents gratis, or a stop would be made in the progress of so noble a Design.

In a lucky hour my Lord Keeper N—. died at *Astrop-wells*, I think when *Jefferies* was in his march in the *West*, and for a Reward of my Lord *Jefferies*'s Clemency he shewed, had the Seals given him, with the Title of Lord Chancellor; but the Attorney was not so lucky, but lived to be turned out, and another put in his place, which would perform his Office more charitably to these indigent Corporations, who could not pay their Fees in taking new Patents, after they had perfidiously betrayed their Old.

But this was but one step towards this *Holy Werk*; the King to make a thorough Reformation, will make the Judges in *Westminster-Hall*, to murder the Common Law, as well as the King, and his Brother designed to murder the Parliament by itself; and to this end, the King before he would make any Judges, would make a Bargain with them, that they should declare the King's Power, of Dispensing with the *Penal Laws* and *Tests* made against *Recusants* out of Parliament.

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However herein the King stumbled at the Threshold, for its said he began with Sir Thomas Jones, who had inherited so much in Mr. Cornish his Tryal, that Sir Thomas bogled at this, and told the King, He could not do it, to which the King answered, He could have twelve Judges of his Opinion, and Sir Thomas replied, He might have twelve Judges of his Opinion, but would scarce find twelve Lawyers of his Opinion: The truth of this I have only from Fame, but I'm sure the King's practice in reforming the Judges, whereof all (except my Lord Chief Baron Jenkins, and Justice Powell,) were such a pack, as never before sat in Westminster-Hall, gave great Credit to it.

But if the Lord Chief Justice Thorp, for taking a fine of 100 l. was adjudged to be Hanged, and his Lands and Goods forfeited, in the Reign of Edward the 3d. because thereby, as much as in him lay, he had broken the King's Oath made unto the People, which the King had entrusted him with; and if Justice Tresilian was hanged, drawn and quartered, for giving his Judgment that the King might Act contrary to one Act of Parliament; and Blake, the King's Council, Usk, the Under-sheriff of Middlesex, and five more of Quality, were hanged in the Reign of Henry the 4th. for but assisting Tresilian's Judgment, What then did these Judges deserve? Which made Bargains with the King before-hand, to break the King's Oath he made to the People; and entituled the King to a Power to overturn the Laws, and gave Judgment before-hand Act contrary to them. Andrew Horn in his Mirror of Justice tells us, That King Alfred (the Mirror Kings) hanged Darling, Signor, Cadwine, Cole, and

40 Judges more, because they judged in particular Causes contrary to Law : But sure this was no more to *Alfred's* honour, than it was to the Dishonour of King *James*, to make Bargains before hand with Judges, to give Judgment contrary to the Laws themselves; and unless they would break the King's Oath to his People, they should not be his Judges.

The Laws and Constitutions of this Nation, as has been already noted, make it a Kingdom, where of the King is Head, and the Nation the Body, so that if you take away the Laws and Constitutions of the Kingdom, there is neither King nor Kingdom: Did not the King then descend from his Majesty, in rendering himself from his Kingdom by making only such Judges as should dispense with the Laws, whereby he ceases to be King, and the Nation a Kingdom? And who was it for, that the King would not be content with the Sovereignty he had over the Nation, wherein his Majesty consisted; but would strein it into a Tyranny over the Nation? It was to Introduce a foreign exploded Dominion of the Pope, denied by our Saviour and asserted by the Devil, whereby how Absolute soever the King would be over his Subjects, yet himself and Kingdom must be at the Pope's disposal, to be Deposed and Destroyed, as the Pope pleased.

Bishop King in the State of the Protestants in Ireland, *f. 18.* gives this Account of one *Moore*, a Romish Priest, who preached before the King at *Christ's Church* in *Dublin*, in the begining of the year 1690. where he told the King to his face that he did not do Justice to the Church and

Church

Churchmen; and amongst other things said, *That Kings ought to consult Churchmen in Temporal Affairs, the Clergy having a Temporal, as well as Spiritual Right in the Kingdom, but Kings had nothing to do in the Management of Spiritual Affairs, but were to obey the Orders of the Church.*

Thinking Men could not conceive this dispensing with the Penal Laws and Tests against Dissenters, was any ways intended in favour of the Protestants, for notwithstanding the slaughter *Jefferies* had made of them in the *West*, the rest all over *England* were imprisoned, and forced to give Security for their good behaviour. Nay, my Lord Duke of *Albermale*, who had done the King so signal service, in keeping the *Devonshire* Men from joyn- ing with the Duke of *Monmouth*, must be sent out of *England* to *Jamaica*; and the Earl of *Pembroke*, and others, who had been so active in suppressing *Monmouth*, were scarce thanked, and but coldly entertained at Court.

If things were acted with this (indeed barefaced) dissimulation in *England*, they were not less in *Ireland*; for the King having revoked the Duke of *Ormond* from his Lieutenancy; and given *Talbot* an *Independent Commission*, to make such a reform of the Army there, as is aforesaid, made my Lord *Clarendon*, Lieutenant and *Sir Charles Porter*, Chancellor, who arrived there the 10th. of *January* in 1685, with a Charge to declare that the King would preserve the Acts of settlement, and Explanation inviolable, and to assure all his Subjects, he would preserve these Act as the *Magna Charta* of *Ireland*; but this declaration compared with *Talbot's* reforming the Army in *Ireland*, seemed as

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strange,

strange, as that the King's dispensing with the *Penal Laws* and *Tests* was in favour of the *Protestant dissenters in England*.

In *Scotland* the King had so settled affairs there when he was *Commissioner*, that after the cutting off the *Earl of Argyle*, he did not doubt to carry on his *Designs* more bare-fac't there than in *England*, or *Ireland*, and therefore tho' he did not call a *Parliament* till *April* in 1686, yet in his *Letter* to them of the 12th. he takes no *Notice* of the *Protestant Dissenters*, but recommends to them, his innocent *Roman Catholick Subjects*, 'Who have with their *Lives* and *Fortunes*, been alwayes assistant to the *Crown* in the worst of *Rebellions* and *Usurpations*, tho' they lay under *Discouragement* hardly to be named: These he heartily recommended to their care, to the end, that as they had given good *Experience* of their true *Loyalty* and *Peaceable behaviour*, so by their assistance, they may have the *protection* of his *Laws*, and the *Security* under his *Government*, which others of his *Subjects* had, not suffering them to lie under *Obligation*, which their *Religion* cannot admit of, by doing whereof they will give a *Demonstration* of the *Duty* and *Affection* they had to him, and do him most acceptable service: This *Love* he expected they would shew to their brethren, as they saw he was an *Indulgent Father* to them all.

The King having settled his prerogative in *Westminster-Hall*, by dispensing with the *Penal Laws* and *Tests*, in the beginning of the year 1686, granted a *Commission of Ecclesiastical Affairs*; but it was not opened to Act till the 3d. of *August* following;

why it Lay so long dormant I do not find; but only guess, that the King might the better settle this *Dispensing Power* in the Country, by such Judges as he had made, as well as in *Westminster-Hall*; and that he might be at more leisure, to carry on the design for surrender of Charters, wherein one *Robert Brent* (a *Roman Catholick* was a prime Agent) and great care was taken, that the beggerly Corporations, might Surrender their Charters, and take new ones, without paying Fees; and that if any should be so Honest, As to insist upon their Oaths and Trust reposed in them, for preservation of their Charters, to be prosecuted as riotous and seditious Persons. But in Regard the Commission of *Ecclesiastical Affairs* was not printed that I can find, nor is in the *State Tracts*, I thought it to insert it here, as I had it in Manuscript from a learned hand.

JAMES the Second, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. To the most Reverend Father in God, our Right Trusty, and Right Well-beloved Councillor William, Lord Archbishop of Canterbury, Primate of all England, and Metropolitan; and to Our Right Trusty and Right Well-beloved Councillor George, Lord Jefferies, Lord Chancellor of England; and to Our Right Trusty and Right Well-beloved Cousin and Councillor Laurence, Earl of Rochester, Lord high Treasurer of England; and to our Right Trusty, and Right Well-beloved Cousin and Councillor Robert, Earl of Sunderland, President of Our Council, and Our Principal Secretary of State; and to the Right Reverend Father in God, and Our Right Trusty and Well-beloved Councillor Nathaniel,

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thaniel, Lord Bishop of Duresme; and to the Right Reverend Father in God, our Right Trusty and Well-beloved Thomas, Lord Bishop of Rochester; and to Our Right Trusty and Well-beloved Councillor Sir Edward Herbert, Knight, Chief Justice of the Pleas, before Us to be holden assigned Greeting. Wee for diverse good weighty and necessary Causes and Considerations, Unherunto especially moving, of Our meer Motion, and certain Knowledge, by force and vertue of our Supreme Authority and Prerogative Royal, do Assign, Name and Authorize by these our Letters Patents, under the Great Seal of England, you the said Lord Archbishop of Canterbury, Lord Chancellor of England, Lord High Treasurer of England, Lord President of our Council, Lord Bishop of Duresme, Lord Bishop of Rochester, and our Chief Justice aforesaid, or any three, or more of you, whereof you the said Lord Chancellor to be one, from time to time, and at all times during Our Pleasure, to Exercise, Use, Occupy, and Execute under Us all manner of Jurisdiction, Priviledges, and Prebeminences in any wise touching, or concerning any Spiritual or Ecclesiastical Jurisdictions within this Our Realm of England, and Dominion of Wales, and to Visit, Reform, Redress, Order, Correct and Amend all such Abuses, Offences, Contempts and Enormities whatsoever, which by the Spiritual or Ecclesiastical Laws of this Realm, can, or may lawfully be Reformed, Ordered, Redressed, Corrected, Restrained, or Amended, to the pleasure of Almighty God, and increase of Vertue, and the conservation of the Peace and Unity of this Realm. And we do hereby Give and Grant unto you, or any three, or more of you, as is aforesaid, whereof you the said Lord Chancellor to be one, thus by Us named, Assigned, Authorized and Appointed, by force of our Supreme Authority and

prerogative Royal, full Power and Authority from time
 to time, and at all times, during our Pleasure under Us,
 to Exercise, Use and Execute all the Premises according
 to the tenour and effect of these our Letters Patents, any
 Matter or Cause to the contrary in any wise, notwith-
 standing. And we do by these Presents give full Power
 and Authority unto you, or any three, or more of you, as
 aforesaid, whereof you the Lord Chancellor to be one,
 in all lawful ways or means from time to time hereafter,
 during our Pleasure, to enquire of all Offences, Contempts,
 Transgressions, and Misdemeanors, done and committed,
 and hereafter done, and to be committed, contrary to
 the Ecclesiastical Laws of this Our Realm, in any
 County, City, Borrough, or other place, or places, Ex-
 cept, or not exempt, within this Our Realm of Eng-
 land, and Dominion of Wales, and of all, and every
 Offender, or Offenders therein, and them, and every
 of them, to order, Correct, Reform, and punish by Cen-
 sure of the Church. And also we do give, and grant
 full power and authority unto you, or any three, or more
 of you, as is aforesaid, whereof you the said Lord Chan-
 cellor to be one, in like manner as is aforesaid, from time
 to time, and at all times during Our pleasure, to in-
 quire off, search out, and call before you, all, and
 every Ecclesiastical person or persons, of what Degree or
 Dignity soever, as shall offend in any of these Particulars
 before mentioned; and them, and every of them to Cor-
 rect and Punish for such their Misbehaviors and Misdemea-
 nors, by Suspending, or Depriving them from all Promo-
 tions Ecclesiastical, and from all Functions in the Church,
 and to inflict such other Punishment or Censures upon them,
 according to the Ecclesiastical Laws of this Realm.
 And further we do give full Power and Authority unto
 you or any three, or more of you, as is aforesaid, whereof
 you the said Lord Chancellor to be one, by vertue hereof,
 and

and in like manner and form as is aforesaid, to inquire, bear, determine, and punish, all Incest, Adulteries, Fornications, Outrages, Misbehaviours and Disorders in Marriage, and all other grievances and great Crimes and offences which are punishable, or reformatable by the Ecclesiastical Laws of this our Realm, committed, or done, or hereafter to be committed, or done, in any place exempt, or not exempt, within this our Realm, according to the Tenor of the Ecclesiastical Laws in that behalf, Granting you, or any three, or more of you as is aforesaid, whereof you the Lord Chancellor to be one, full Power and Authority to Order and Award such Punishment to every such Offender, by Censures of the Church, or other Lawful Ways, as is aforesaid. And further, We do give full Power and Authority to you, or any three, or more of you as is aforesaid, whereof you the said Lord Chancellor to be one, to call before you, or any three or more of you as aforesaid, whereof you the said Lord Chancellor to be one, all, and every Offenders and Offenders, in any of the Premises; and also all such as by you, or any three, or more of you as is aforesaid, whereof you the said Lord Chancellor to be one, shall seem to be suspected Persons in any of the Premises which you shall object against them, and to proceed against them, and every of them, as the nature and quality of the Offence, or Suspicion in that behalf, shall require; and also to call all such Witnesses, or any other Person, or Persons, that can inform you concerning any of the Premises, as you, or any three, or more of you, as is aforesaid, whereof you the said Lord Chancellor to be one, and them, and every of them, to examine upon their Corporall Oaths for the better tryal and opening of the truth of the Premises, or any part thereof. And if you, or any three, or more of you, as is aforesaid, whereof you the said Lord Chancellor to be one, shall find any Person or Persons whatso-

per obstinate, or Disobedient in their appearance before
 you, or any three, or more of you as is aforesaid, where-
 of you the said Lord Chancellor to be one, at your Calling
 and Commandments, or else in not obeying, or in not
 accomplishing your Orders, Decrees, and Commandments,
 in any thing touching the Premisses, or any part thereof,
 in any other Branch, or Clause, contained in this Com-
 mission; that then you, or any three, or more of you as
 aforesaid, whereof you the said Lord Chancellor to be one,
 shall have full Power and Authority to punish the same
 Person and Persons so offending by Excommunication,
 Suspension, Deprivation, or other Censures, Ecclesiastical:
 And when any Persons shall be convented, or prosecuted be-
 fore you as aforesaid, for any of the Causes above express-
 ed, at the instance and suit of any person prosecuting the
 Offence in that behalf, that then you, or any three, or
 more of you as aforesaid, whereof you the said Lord Chan-
 cellor to be one, shall have full Power and Authority to
 award such Costs and Expenses of the Suit, as well to
 and against the party, as shall prefer, or prosecute the
 said Offence, as to, and against the Party, or Parties
 that shall be convented, according as their causes shall
 require, and to you in Justice shall be thought reasonable.
 And further, Our Will and pleasure is, That you assume
 Our well beloved Subject William Bridgman, Esquire,
 one of the Clerks of our Council or his sufficient Deputy, or
 Deputies in that behalf, to be your Register, whom we do
 by these presents depute to that effect, for the Registering of
 all your Acts, Decrees and Proceedings by vertue of this
 Our Commission; and that in like manner you, or any
 three, or more of you, whereof you the said Lord Chan-
 cellor to be one, by your discretions shall appoint one, or
 more Messenger, or Messengers, and other officer, or officers,
 necessary and convenient to attend upon you for any service
 in this behalf. Our Will and express Commandment
 also

also is, That there shall be two paper Books Indented and made, the one to remain with the said Register, or his sufficient Deputy, or Deputies, the other with such person and in such places as you the said Commissioners, or any three, or more of you whereof you the said Lord Chancellor to be one, shall in your Discretion think most convenient and meet, in both which Books shall be fairly entered all the Acts, Decrees and Proceedings made, or to be made by vertue of this Commission. And whereas Our Universities of Oxford and Cambridge, and diverse Cathedral and Collegiate Churches, Colledges, Grammar-Schools and other Ecclesiastical Incorporations have been erected, founded and endowed by several of our Royal Progenitors Kings and Queens of this Realm, and some others, by the Charity and Bounty of some of their Subjects, as well within our Universities, as other parts and places, the Ordinances, Rules and Statutes whereof are either imbezilled, lost, corrupted, or altogether imperfect. We do therefore give a full power and authority to you or any five, or more of you, of whom we will you the aforesaid Lord Chancellor always to be one, to cause and command in Our Name, All, and singular the Ordinances, Rules and Statutes of our Universities, and all and every Cathedral, and Collegiate Churches, Colledges, Grammar-Schools, and other Ecclesiastical Incorporations, together with their several Letters Patent, and other Writings touching or in any wise concerning the several erections and Foundations to be brought and exhibited before You, or any five or more of you as is aforesaid, whereof you the said Lord Chancellor to be one, willing, commanding, and authorizing you, or any five or more of you as aforesaid, whereof you the said Lord Chancellor to be one, upon the exhibiting, and upon diligent and deliberate view, Search, and examination of the said Statutes, Rules, and Ordinances, Letters Pa

and Writings as is aforesaid, the same to Correct, amend and alter. And also, where no Statutes are extant in all, or any of the aforesaid Cases, to devise and set down such good Orders and Statutes, as you, or any three, or more of you as is aforesaid, whereof you the said Chancellor to be one, shall think meet and Convenient to be by Us Confirmed, Ratified, allowed, and set forth for the better Order and Rule of the said Universities, Cathedrals, and Collegiate Churches, Colleges and Grammar-Schools, Erections and Foundations, and the Possessions and Revenues of the same, as may best tend to the honour of Almighty God, increase of Vertue, Learning, and Unity in the said places, and the publick Weale and Tranquillity of this our Realm. Moreover, our Will, Pleasure, and Commandment is, that you our said Commissioners, and every of you, shall diligently and faithfully execute this our Commission, and every part and Branch thereof in manner and form aforesaid, and according to the true meaning hereof, notwithstanding any Appellation, Provocation, Privilege, or Exemption in that behalf, to be made, pretended, or alleadged, by any Person, or Persons, resident, or dwelling in any place, or places, exempt or not exempt, within this our Realm, any Law, Statutes, Proclamations, or Grants, Privileges, or Ordinances, which be, or may seem contrary to the Premises notwithstanding. And for the better credit, and more manifest notice of your doing in the execution of this Our Commission, Our Pleasure and Commandment is, That to your Letters Missive, Processes, Decrees, Orders, and Judgments, for, or by you, or any three, or more of you as is aforesaid, to be awarded, sent forth, had, made, decreed, given, or pronounced, at such certain publick places, as shall be appointed by you, or any three, or more of you as is aforesaid, for the due execution

execution of this our Commission, you, or some three, or more of you as is aforesaid, whereof you the said Lord Chancellor to be one, shall Cause to be put and fixed a Seal, engraven with the Rose and Crown, and the Letter J. and Figure 2. before, and the Letter R. after the same, with a Ring, or Circumference about the same Seal, containing as followeth, *Sigillum Commissariorum Regiæ Magestatis ad Causas Ecclesiasticas.* Finally, We will and Command all and singular other Our ministers, and subjects, in all and every place and places, exempt, and not exempt within our Realm of England, and Dominion of Wales, upon any knowledge or request from you, or any three, or more of you as is aforesaid, to them or any of them given or made, to be aiding, helping, and assisting unto you, and to your Commandment, in, and for the due executing your Precepts, Letters, and other Processess requisite in, and for the due executing of this Our Commission, as they, and every of them, tender Our pleasure and Will to answer the Contrary at their utmost Perills. In witness, &c.

Here I make these Remarks upon this Commission: First, that the Archbishop of Canterbury, who was first named in it, refused to Act in it; so the Bishop of Chester was put in, though not in the first place. Secondly, How unwarily it was drawn; for though I believe every one understands, the Design of this Commission, was to introduce a Roman Hierarchy, which assumes a Power over the Temporal, in order to the Spiritual good; yet here this Commission grants the Temporal Power (*viz.* the Chancellor, and any other two, *viz.* my Lord Treasurer, President, or Chief Justice) a Power of Excommunication, which is a pure Spiritual Act.

But

whilst this Commission was thus in *Embryo*, tis
to observe, what was done before its coming in-
ACT.

You have heard how severely *Oates* was treated
for discovering the *Popish Plot*, *Thomas Dangerfield's*
comes now to be as severely treated, but with
worse Fate, for discovering the *Meal-tub Plot*,
which was to have thrown the *Popish Plot* upon the
Presbyterians.

Dangerfield, in his Depositions before the Parlia-
ment, had revealed that he was employed by the
Popish Party (chiefly by the Lords in the *Tower*, and
Countess of *Powis*) to kill the King, and was en-
couraged, and promised Impunity and Reward,
and part of it given him by the Duke of *Terk* for
his end : Upon this he was tried in *Westminster-
Hall*, in *Trinity*, I think, or *Easter Term*, in 1686, up-
on a *Scandalum Magnatum*, and as Juries went, was
found Guilty, and had the same Sentence of
Whipping which *Oates* had ; and in his return from
his Whipping from *Tyburn* towards *Newgate*, was
struck into the Eye with a Tuck at the end of a Cane,
by one *Robert Francis* (a fierce Papist) of which
with the Agony of his Whipping, he soon after
died, but his Body was so swollen and martyred
with the Whipping, that 'twas a question, whe-
ther he died of the Whipping, or Wound in his
eye. You may read the Information at large, which
was Ordered to be printed by the Commons, No-
vemb. 10. 1680. and after the Speaker *Williams* was
rewarded 10000 *l.* for Licencing it (though by Order
of the Commons) to be printed.

The same Term (I think) Mr. *Samuel Johnson*,
commonly known by the Name of *Julian John-
son*)

sen) was Sentenced by the Court of King's-Bench
(Sir Edward Herbert Chief Justice) to stand three
times in the Pillory, and to be Whipped from
Newgate to Tyburn, which was severely executed
for making this humble and hearty Address to
the English Protestants in the Army, raised by
the King.

Gentlemen,

‘ **N**EXT to the Duty we owe to God, which ought
‘ to be the principal care of Men of your Pro-
‘ fession, (especially because you carry your Lives
‘ by your hands, and often look Death in the face
‘ the 2d. thing which deserves your Consideration
‘ is the Service of your Native Country, vvhv
‘ you drew your first breath, and breathed a free
‘ English Air. Novv I desire you to consider how
‘ well you comply vvith these two main Points
‘ by engaging in this present Service.

‘ Is it in the Name of God for his Service, that
‘ you have joined your selves vvith Papists, vvho
‘ indeed vvill fight for the *Mass-book*, but burn the
‘ Bible, and vvho seek to extirpate the Protestant
‘ Religion vvith your Svords, because they cannot
‘ do it vvith their ovm? And vvill you be aiding
‘ and assisting to set up *Mass-houses*, to erect the
‘ Popish Kingdom of Darknes and Desolation
‘ amongst us, and to train up all our Children in
‘ Popery? Howv can you do these things, and call
‘ your selves Protestants.

‘ And then what service can be done your Country
‘ try, by being under the Command of French and
‘ Irish Papists, and by bringing the Nation under
‘ a foreign Yoke? Will you help them to make
‘ forcible

forcible Entry into the Houses of your Country-men, under the name of *Quartering*, contrary to *Magna Charta*, and *Petition of Right*? Will you be aiding and assisting to all the Murders and Outrages, which they shall commit by their void Commissions? which were declared Illegal, and sufficiently blasted by both Houses of Parliament, (if there had been any need of it) for it was very well known before; for a Papist cannot have a Commission, but by Law is utterly disabled and disarmed? Will you exchange your Birth-right of *English* Laws and Liberties, for *Martial* and *Club-Law*, and help to destroy all others, only to be eaten up at last your selves? If I know you well, as you are *English* Men, you hate and scorn these things. And therefore be not unequally yoked with idolatrous and bloody Papists: Be valiant for the truth, and shew your selves Men.

The same Considerations are likewise humbly offered to all *English-Seamen*, who have been the Bulwark of this Nation against Popery and Slavery, ever since Eighty Eight.

The first Lighting; which the dormant Commission of *Ecclesiastical Affairs* produced, fell upon the Bishop of *London*, a Person of exemplary Virtue and Loyalty, and who, besides the Nobility of his Birth, had his Father slain in the late Civil Wars, in defence of the King's Fathers Cause, and had himself, and all his Brothers, freely and valiantly exposed their Lives in defence of it: The Crime alleadged against him was, that by the King's Letter, he did suspend Doctor *Sharp*, (then Dean of *Notwich*, now Archbishop of *York*) for preaching a Sermon

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against

against the Frauds and Corruptions of the Church of Rome, by a Power as Arbitrary, as that by which the Commissioners acted, and for this these Commissioners Suspended the Bishop, tho' every one understood, the true Cause was the Bishop's Motion in the house of Lords to have debated the King's Speech. *Tantum Religio potuit Suadere malorum.*

I'm perswaded King Charles the 2d. to make a Roman Hierarchy in Scotland, made the Bishop out of the most obnoxious of the Clergy, who besides their profligate Lives, run the King's prerogative there to an higher pitch, than Land in the King's Fathers time did in England: And that towards the latter end of his Reign, he laid the same design here, for the Bishopricks of Oxford, *St. Davids*, and *Chester*, becoming void about the latter end of his Reign, or beginning of King James (I'll not name the Bishoprick of Bath and Wells for the Petticoat governed in that Election) Doctor or Samuel Parker (who Mr. Marvel in his Rehearsal transposed calls Bays,) a Man of virulent Disposition, and who by railing against the Church got into preferment, and when he was in, became a zealous Railer against them without, was made Bishop of Oxford; Doctor Cartright (as high for the Prerogative, as Parker) was made Bishop of Chester (and the Succession to these two Bishopricks was the more observable, because Parker succeeded Doctor Fell, and Cartright, Doctor Peirson, Men of Piety and Learning, equal to any of their time; and one Walsley (an obscure Man) was made Bishop of *St. Davids* but the Archbishoprick of York, reserved for a Person of an other Temper, whom these Bishops were making way for.

The

The Presidentship of *Magdalen College* in *Oxford* coming void, and the Fellows fearing a *Mandamus* would be imposed upon them, for some Person not Qualified by their Statutes, and whom by their Oaths they could not submit to, chose *Doctor Hough* for President, a Person Qualified by their Statutes for that Place.

As the Fellows feared, so it came to pass, for the King sent them a peremptory *Mandamus* to chuse the Bishop of *Oxford* (*Bays*) their president; he being a Person not Qualified by the Statutes of their College, which the Fellows were sworn to serve; they in an humble answer excused themselves, as being otherways obliged, as well by their Oaths, as Statutes. I will not repeat the longer the King express hereupon, it's in Print, but the such Language was never used by any Prince before.

But if the King's harsh Language will not work the Fellows to his Will, he will send the Commissioners of *Ecclesiastical Affairs* among them, who by the King's Will shall turn them out of their fellowships (wherein they had as much a Property, as any other had to any Reall or Personal estate) nor shall these Commissioners stay here, but by a new strain of Tyranny, never practised but by Absolute Tyrants, they make the Fellows uncapable of any other Ecclesiastical preferments.

The Fellows thus expelled, the Statutes of the College, are thrown out of Doors, to make room for a Seminary of Jesuites, and Popish Priests, as much tending to the subversion of the Established Church of *England*, as the Statutes of the College.

But see how God in his providence blasted these things, for the Bishop of Oxford had scarce taken possession of his thus new acquired Presidentship when he died; and you'll soon see the Fellow restored again in spite of these Commissioners, and Doctor Hough made Bishop of Oxford, as well a president of Magdalen College.

If the King were zealous in advancing his Prerogative Royal both in the Church and State of England; he will not be less in Scotland, where upon the 12th. of February 168⁶/₇ he issues out his Proclamation for Tolleration of Religion, (which you may read in the *State Tracts*) wherein he asserts his absolute Power, which he says, his Subjects ought to obey without reserve.

But the Tolleration which the King allows his Roman Catholick Subjects in Scotland, he'll scarce permit to his Protestant Subjects in Ireland; for Tyrconnel (for so has Talbot merited for his service in Reforming the Army) is not only made an Earl but Lord Lieutenant of Ireland, in the room of my Lord of Glarendon, and one Firton (made Sir Alexander, an infamous Person, detected for Forgery not only at Westminster, but at Chester, and since in the House of Lords) was brought out of the King's-Bench, in England, to be Chancellour and Keeper of the King's Conscience in Ireland, in place of Sir Charles Porter.

The first Proclamation vvhich Tyrconnel issued out was dated Feb. 21. 168⁶/₇. vvherein he promised to defend the Laws, Liberties and Established Religion, but leaves out the preservation of the Acts of Settlement and Explanation: But though at first he only left out the Act of Settlement and Explanation being

being resolved first to cut the Protestants, and let the *Irish* into their forfeited Estates; yet did he not stay here, and Bishop King in his *Treatise of the State of the Protestants in Ireland*, gives so particular and methodical an Account how he proceeded in the destroying the Church and State of *Ireland*, as by Law established, that I referr the Reader to it, not intending to lessen it, by raking parts of it.

When the Judges had been above a Year propagating the King's Power in *Westminster-Hall*, and in their Circuits, of dispensing with the *Penal Laws* and *Tests*, against Dissenters from the Church, upon the 24th. of *April* in 1687, out comes the King's Declaration to all his Subjects for *Liberty of Conscience*, wherein the King declares, *That it had been a long time his constant Sense and Opinion, that Conscience ought not to be constrained, nor People forced in Matters of meer Religion; and that it was ever contrary to his Inclination, as he thought it to be to the disinterest of the Government, by spoiling Trade, and depopulating Countries, &c.*

Sure no Prince ever acted so in Extreame, yet his Actions so diametrically opposite to his Profession. Here you see a Jesuited Prince pleading for *Liberty of Conscience*, to the breaking down the Laws, which before he had so often professed to maintain; and for such a sort of Men, whom but little before he had slaughtered, banished and imprisoned, as if he had designed to extirpate the vvhole Race of them. If to reconcile these to truth, or Reality be not as great a Miracle, as is in any of the Popish Legends, I'll believe them all, and be reconciled to the *Roman Catholick Church*, how inconsistent soever the Terms be.

The generality of the Protestant Dissenters having for near seven Years together, been so severely treated by the *Tories*, were as forward to Congratulate the King for his Indulgence in manifold Addresses, as the *Tories* were in King Charles his time, in their Addresses of Abhorrence, to petition the King to call a Parliament to settle the Grievances of the Nation ; However this Declaration was so drawn in the sight of every Bird, that (of my knowledg) many of the sober thinking Members of the Dissenters, did both dread and detest it.

That this Declaration might be more passable popish Judges were made in *Westminster-Hall*, and popish Justices of the Peace, and Deputy Lieutenants all *England* over ; the Privy Council was replenished with popish Privy Councillors ; the *Savoy* was laid open to instruct Youth in the *Romish* Religion and popish Principles ; and Schools for that purpose were encouraged in *London*, and all other places in *England* : Four foreign popish Bishops, as *Vicars Apostolical*, were allowed an Ecclesiastical Jurisdiction all *England* and *Wales* over.

From instructing the *St. Omer's* boys, how to behave themselves in their Evidence to prove *Oath* was at *St. Omers* all *April* and *May* in 1678, My Lord *Castlemain* is sent Ambassador to the Pope, to render the King's Obedience to the *Holy and Apostolical See*, with great hopes of extirpating the Northern pestilent *Heresy* : In return whereof, the Pope sent his *Nuntio* to give the King his holy *Benediction* ; yet I do not find that he sent before-hand for Leave to enter the Kingdom, as was observed by Queen *Mary*, *Henry 8.* and before.

The Judges in their Circuits had their private Instructions, to know how Men were affected with the King's *Dispensing Power*; and those who were disaffected to it, were turned out from the Lieutenancy, and Commission of the Peace.

Justice, Judgment and Righteousness support the Thrones of Princes, but these were strangers to this King's ways, other Means must be found out to support and carry them through; a standing Army is judged the best expedient; and as the King told his Parliament, at their second Meeting, he had encreased his Army to double what it was before, so made his Word good, that he would employ Men in it not Qualified by the *late Tests*; and to this end, *Tyrconnel* having disbanded the *English Army* in *Ireland*, qualified by the *Tests*; sends over an Army of *Irish*, not qualified by the *Tests*, to encrease the Army in *England*.

This Army thus raised against Law, committed all manner of lawless Insolences, though the King by several Orders would have had their Quarters restrained to victualling-houses, Houses of publick Entertainments, and such as had Licenses to sell Wine and other Liquors; the Officers too, when they pleased, would be exempt from the Civil Power.

And though the King had no other Wars, but against the Laws and Constitutions of the Nation, yet he would have the Act of the 1. 2. *Edw. 6. 2.* which makes it *Felony*, without benefit of the Clergy, for any Soldiers taking pay in the King's service, in his Wars, beyond Sea, or upon Sea, or in *Scotland*, to desert from his Officer, to extend to this

Army thus Raised by the King: And because the Recorder of *London* Sir I H. would not Expound this Law to the King's design, he was put out of his place, and so was Sir *Edward Herbert* from being Chief Justice of the *King's-Bench* to make room for Sir *Robert Wright*, to hang a Poor Soldier upon this Statute, and afterward this Statute did the Work without any further dispute.

Thus this Prince did not only assume a power to Controul the Laws of the Nation at his pleasure in Civil affairs, but when he pleased made them bend to his Will to Establish an Illegal Army, and countenance the effusion of Christian blood; but you'll soon see God will blast these ungodly Ways and that not the Arm of Flesh, but Judgment Justice and Righteousness, establish the Thrones of Princes.

Thus Affairs stood in *England*, *Scotland* and *Ireland* in the Year 1687. wherein, I suppose no History mentions so great and violent Alterations in so little time, as in this King's reign, all tending to introduce a foreign Power, and to enslave the Nation, yet so patiently endured by it: but the dangers of these Designs were not circumscribed within the bounds of this Nation, but extended into *France*, where for above twenty years a Conspiracy was Carried on for promoting these Designs thus far advanced; so that the Year 1688, had a much more terrible Aspect upon *England*, than the year 1588 had, when *Philip* the 2d. designed the Conquest of it: for then the Nation was firm and Intire for its own Interest; whereas this year it was not only torn in pieces by internal Discords,

Records, but had an Army and Fleet designed to join with the *French* King, in propagating his boundless Ambition, not only upon *England*, but upon the Empire of *Germany*, *Spain*, *Holland*, the Duke of *Savoy*, and other Princes of *Italy*.

About the beginning of the year 1688, a Gentleman of high Jesuited Principles, told me, the States of *Holland* were Rebels against the King of *Spain*, and that I should soon see the King of *France*, would call them to an account for it, and humble them, and that the *French* King would assist our King with Men of War: I took more heed to this, because I knew that he was frequently visited by several Jesuits, in whose Councils I believe the *French* Kings designs this year were locked up, for my Lord of *Sunderland* in his Letter, recited in the History of the *Desertion*, fol. 32. Protests he knew nothing of a League between the Kings; yet you will see it came out another way: But my Lord of *Sunderland* says, that the *French* ships were offered to join with our Fleet, which was refused; However this shews there was a design contriving by these Princes; yet at present the Affairs of *France* seemed to look another way, and a *French* Fleet, and Soldiers in them are set to *Canada*; the Design and success you will soon hear of.

The King having thus, as he thought, laid a foundation (though it proved a very Sandy one) of his designs; and to shew how Absolute he would be in them, upon the 4th. of *May* passed an Order in Council, that his Declarations of Indulgence, should be read in all Churches and Chapels in *England* and *Wales* in time of Divine service, and that all the Bishops in their respective Diocesses should

should take care to have this done accordingly.

The Bishop's who knew the Declaration of *Indulgence*, was designed to conjoin the Protestant Dissenters with the Popish, to ruin the Established Church, easily foresaw that the Order to them was on purpose to pick a quarrel with them; for the King might have Ordered it to be read without, as well as by them: And besides the Injustice of it, it was deemed an undecent thing, that the Fathers of the Church, in time of divine service, should be the Instruments, to give a Liberty to all, whether they should come to divine service or not.

Besides the Bishop of *London* who stood Suspended, these Bishops, *viz.* the Arch-Bishop of *Canterbury*, the Bishops of *Bath and Wells*, *Ely*, *Peterborough*, *Chester*, *St Asaph*, and *Bristol*, were in or about the Town, and had this Order of Reading the Declaration in Churches served upon them.

The Bishops in an humble Petition to the King gave their reasons in Writing, but so cautiously that after it was drawn up, they would let no other Man see it before they presented it, which they could not comply with the Order of Council.

The Chancellour, tho' he thought his Commission big enough to suspend the Bishop of *London* and Vice-Chancellour of *Cambridge*, and expel the Master and Fellows of *Magdalen College* in *Oxford*; yet it seems did not think it sufficient to suspend these Bishops, and therefore advised the King (as was said) to try them upon an Information of *High Misdemeanour* in the *King's-Bench*; and in Or-

der to it they were Committed Prisoners to the Tower.

Accordingly the Bishops were tried in the King's-Bench in *Trinity* term following, upon an Information of *High Misdemeanour*, for their Petition to the King; but how secure soever the King and Chancellor thought themselves of the Judges; and tho' Sir *Robert Wright* who was Chief Justice, and Sir *Richard Allibone* (a know Papist,) were two of them, yet were they not all of a Piece, for Mr. Justice *Powel*, both Learnedly and stoutly defended the Bishop's Cause.

If we look down to the Barr, we shall see as strange a mixture, as in the Bench, for the late Attorney General *Sawyer*, and Solicitor *Finch*, who were so zealous to find my Lord *Russel*, Colonel *Sidney*, and Mr. *Cornish*, &c. Guilty of High Treason; and for Surrender of Charters, now they are turned out, are as zealous for the acquittal of the Bishops; and the then Solicitor General, of a most zealous Prosecutor of *Abhorers*, and searcher to the bottom of the *Papish Plot*, as zealous for finding their Misdemeanour. However the Jury acquitted the Bishops.

Unless it were when *Monk* came into the City the 12 of *February* 1648, and Colonel *Clobery* told the Citizens at *Guild-hall* they should have a Free Parliament, or when King *Charles* came into London the 29th, of *May* following, never was such loud Acclamations of Joy exprest, as upon the Acquittal of the Bishops; nor did the bounds of the City terminate this Joy, but it flew like lightning to *Hounslow-beath*, where the King would be present to see the Army exercised, whereby he trusted

trusted (more than in Justice and Righteousness to Accomplish his design: It seems the King was treated that day by my Lord of *Feverham* (General of the Army) in his tent, when the News of the Bishops acquittal arrived at the Army, which entertained it with an general Shour; the King ('twas said) was startled at it, and sent the Earl, to inquire the Cause; the Earl in return told the King 'twas nothing, but the Soldiers Joy for the acquittal of the Bishops: *And call you that nothing*, replied the King, who was much discomposed upon it and well he might, for now he saw how little Confidence was to be imposed in the Army he so much relied upon.

Its a Duty incumbent upon Mankind, to Honour and Worship God, and give him Thanks for the Benefits received from him; and to petition and pray to him for continuance of them: Next after God, its the Duty of all Subjects to Honour the King for the Benefits they receive by his Justice and Protection, and to petition and pray Relief from him for Oppressions and Injuries, which cannot be redressed by the ordinary Course of Law, or where the Ministers of the Law either cannot, or refuse to do Justice.

Its therefore the wisdom of our Constitution that Parliaments frequently meet, not only to receive Petitions against Oppressions or Injuries received; which were not or could not be redressed by the King's Ministers of the Law, but also to correct and punish the King's Ministers themselves, if they transgressed, or neglected their Duty.

But

But though frequent Parliaments are the most proper Expedients for the Subjects herein, yet oftentimes Accidents may be, which will not stay for relief by Parliament, as in the Case of the Bishops: In *May* they are Ordered to have the King's Declaration of *Indulgence* read in all Churches and Chappels of their respective Diocesses; not to do it, and to give no Reasons why they could not do it, would have been a manifest Contempt of the King's Authority; they could not do it either in Honour or Conscience, and by an humble Petition and Address, represent this to the King; and for ought appeared then, the King never intended to call another Parliament, till he had modelled them as much to his Will, as *Cromwel* did *Haile-God Barebone's* Parliament.

This Petition is made a *High Misdemeanor*, and the Bishops Committed upon it, and Father *Peters*, the Club of *Jesuites*, the Attorney and Solicitor General, *Graham*, *Burton*, &c. are all plotting how to make it so: So as now the Kingdom is without all hopes of a Free Parliament, and yet it is a High Misdemeanor to Address to, or Petition the King.

And that this Order upon the Bishops to enjoin the Reading of the King's Declaration for *Indulgence*, was a Design upon their Persons, as well as upon the Church, is apparent; for after their Acquittal, Orders from the Commissioners of *Ecclesiastical Affairs*, were sent into all parts of *England*, to return an Account to the Lord Chancellor, of those that refused to read the Declaration of *Indulgence*, that they might be proceeded against for their Contempt; but the Reign and Rage of these Commissioners

missioners was too hot to last long, and now let
see what return of Praises and Thanksgivings the Bi-
shops can make to God for their Deliverance.

God requires Truth in the Inwards parts, and
that it should govern all the Intentions, Speech
and Actions of every Man, in his Conversation
with Man ; yet more in his Prayers and Petitions
to God, and if it be an high Crime of Hypocrisy
to Speak, or Act contrary to a Man's Knowledge
or Belief, for the end designed thereby is to de-
ceive another ; yet, though God cannot be decei-
ved, its a greater Crime to approach his Omniscience
with Prayers and Petitions contrary to a Man's cer-
tain Knowledge, or firm Belief.

I take it for granted, that the Bishops under-
stood the King's Declaration of *Indulgence*, was an
unlawful Act, and that if they had submitted
to the King's Will, to have enjoined it to have
been read in all the Churches and Chappels of their
respective Diocesses, it had been an unlawful Act,
which was one Reason they could not comply
with the King's Will ; and that this Declaration
was not intended a Favour to the *Protestant Dissen-
ters*, but a Design to ruin the Established Religion,
and Church of *England* ; and the enjoining the
Bishops to have it read, was a Design upon their
Persons, as well as the Declaration was upon the
Church ; and that the King professed himself to be
of the popish Religion, which they believed and
declared to be Idolatry, in the Worshipping Ima-
ges, and derogatory to God's honour by Invoca-
tion of Saints, whereby they grant to Crea-
tures an Omniscience, which is inseparable from
God, and only to be ascribed to him, and that
the

King had owned the *Papal Power*; (which not only claims a Dominion over all Kings and Kingdoms to be at the Pope's disposal, and who had declared the Church of *England* to be Heretical, Schismatical, and Sacrilegious Persons; with whom no Faith was to be kept, but had assumed a Power equal, or superiour to God himself, in dispensing with God's Laws, and setting its own above them) by sending his Ambassador to the Pope, and receiving his Nuncio.

With what Conscience then could the Bishops approach God's Altars, in their highest Acts of Devotion, and in the Prayer for the Parliament, declare to God that he is their most religious King; and in the *Litany*, to pray to God to keep and strengthen him in the true Worshipping of him (God). Now to keep and strengthen the King in the Worship of God, cannot be otherways understood, but of that Worship of God, or Religion which the King profess.

And how could they declare to God, he is their most gracious Sovereign, when he had imprisoned them, for not submitting to his unlawful Will; and had owned a Power which had declared them Hereticks, Schismatics and Sacrilegious Persons; who were by all ways and means to be exterminated from the face of the Earth? Yet the Bishops by their Canonical Obedience were as much obliged hereto, and to enjoin the Clergy in their respective Diocesses to offer these Praises to God, as they were not to obey the King's Will, by enjoining the King's Declaration of *Indulgence*, to be read by all the Clergy in their Diocesses. To this Dilemma had the flattering Church and State in King

King Charles the 1st's Reign (though intending to
against the *Presbyterians*) by their Act of Uniformi-
ty, brought the Church and State to, in the Reign
of King James.

But least this establishing of Popery should have no
longer support than in the King's life, a new mirac-
le is to be added to the Legend ; for the
next day after the Bishop's were Committed to the
Tower, the Queen must be brought to bed of a
Prince of Wales: so that now they had got a Prince
of Wales, and the Queen received the Consecrated
Clouts, and the Pope by his nuncio is become
God-Father, a foundation, so infallible is laid, for
exalting the Papall Chair, and extirpating the Pestil-
lent Northern Heresy, that its Heresy to doubt
it.

But Man purposes, and God disposes; and in
truth without God's special Assistance, not only
these Dominions of *England*, *Scotland* and *Ireland*
but all the Western Parts of *Europe*, were not to be
retrieved out of (I may say) even a desperate
State ; for in *England* the King had a standing Ar-
my of above 20000 Men, and the *Whiggs* were but
too forward to Congratulate the King in his
Designs, and in humoring him, in giving him up
their Charters ; as the *Tories* in King Charles his
Reign, in their Abhorrences of the King's calling
a Parliament, and as forward then, as the *Whiggs*
now in surrendering their Charters: The Protestant
Army in *Ireland* not only disbanded by *Tyrconnel*,
and a popish Army set up, but the Protestants dis-
armed ; and *Scotland* so perfectly subdued, that
there the King's *Absolute Will*, without reserve, must
pass for Law. The King of Spain so weak, as not
able

to defend himself; much less relieve others;
 the Empire engaged in a War against the *Turk* in
 the East, so as the Western Parts were in no con-
 dition to repel the Impressions the *French* should
 make upon it: The Kingdoms of *Sweden* and *Den-*
mark remote; and at such natural Enmity with one
 another, that if one should side with *France*, or
Ireland, the other would engage against it, and
 though *Holland* were considerable else where at Sea,
 their strength at Sea was inferior to the *English*,
 much more in conjunction of the *French* with
English.

However something must be done, for Modesty
 in this state had been the highest Crime; and of all
 foreign Princes, the Prince of *Orange* was most im-
 mediately concerned, not only in the oppression of
 the *French* King upon his Principality of *Orange*,
 and the Dangers which threatned the *United Pro-*
vinces, by the swelling Grandeur of the *French*;
 but by the King's Arbitrary proceedings in *Eng-*
land, for the Princess was the presumptive Heir to
 the Crown of *England* and *Scotland*; and since it is
 the Laws and Constitutions which erect these Na-
 tions into Kingdoms, whereof the King is the head;
 when if the King destroys the Laws and Constituti-
 ons, he is neither King nor the Princess of *Orange*
 presumptive Heir to them: besides, since the King
 assumed a Power of Dispensing with the Laws,
 might as well in dispensing with the Succession;
 and the Prince was well assured, neither those a-
 bout the King, nor the Pope, would much fa-
 vour his, or his Lady's Title to the Crown;
 it was the introducing the Prince of *Wales* into
 the World intended, to have either the Prince

H h h h

or

or Princess come to the Crown of *England*

The Prince of *Orange* thus injured by both these Kings, and being denied the benefit of any Human Laws, for redress has recourse to God and his Sword for relief, and opposes the Justice of his Cause against the potency of his Adversaries. Nor does he take up the Sword to vindicate his own Rights only, but for restoring the Kingdom of *England*, *Scotland* and *Ireland*, to their ancient Rights, Laws and Privileges invaded by King *James* and to put a stop to the *French* King's boundless Ambition and Tyranny, in Murdering, Ravaging and Destroying, rather than making a War upon all his neighbouring Princes, not dispossessed and ruined by him. A Design so great, by so little Prince, as no less than a Divine Power could inspire him to such an Undertaking.

The Prince these two last Years had several Conferences with the Electors of *Brandenburg*, *Saxony*, the Princes of the House of *Lunenburg*, and other Princes of *Germany*, its believed, in concerting Measures how to defend themselves, against the Design of these two Kings, but the Results were so secret that I find no mention of them.

But how secret soever these Results were, yet the Preparations to put them in execution could be no secret; especially the Naval preparations by Sea; though the *Dutch* Ambassador assured the King, they were not intended against him, yet refused to communicate the Design.

At this time there was not only a high Ferment in all the Nation, against the King's proceedings, but in the Army, against its mixture with *Irish* Officers and Soldiers; which put the King into a great

great Agony, which was encreased by the Dutch preparations: Whereupon the Marquess d'Albeville, the King's Envoy at the Hague, upon the 2d. of Sept. N. S. 23d. of Aug. O. S. put in this Memorial to the States General.

High and Mighty Lords,

THE great and surprizing Preparations for War, made by your Lordships by Sea and Land, in a Season when all Action, especially by Sea is laid aside, giving just Cause of Surprise and Allarm to all Europe, obliges the King my Master, who has had nothing so much in his mind, since his Accession to the Crown, as a continuation of the Peace and Correspondence with this State, to Order the Marquess d'Albeville, his Envoy Extraordinary, to know your Highnesses Intentions thereby.

His Majesty, as your ancient Ally and Confederate, believes it just to demand this Knowledge, which he hoped with good reason to have heard from your Ambassador; but as he sees this Duty of Alliance and Confederation neglected, and that such Power is raising without communicating the intent in the least to him, he finds himself obliged to re-inforce his Fleet, and to put himself in a Condition to maintain the Peace of Christendom.

The States paused upon an Answer to this Memorial, when upon the 9th. of Septemb. N. S. or the 30th. of Aug. Old Style, Monsieur d'Arvaux, the French Ambassador, put in a Memorial to the States, wherein he foolishly discovers the Contrivances, which had been so long hatching between his Master and King James; for after a long story of his Master's desire of maintaining the Peace of Europe, now he had actually broke it, he impertinently tells the States,

H h h h 2

All

All these Circumstances, and many others that I may not here produce, perswade the King, my Master, with reason, that this Arming threatens England. Wherefore his Majesty had commanded me to declare to the States, on his part, That the Bands of Friendship and Alliance between him, and the King of Great Britain, will oblige him (the French King) not only to assist him, (the King of Great Britain) but also to look on the first Act of Hostility, that shall be committed by your Troops and your Fleet, against his Majesty of Great Britain, as a manifest Rupture of the Peace, and a Breach with his Crown.

Though the Dutch made no Answer to this Memorial, yet they made no bones to make this Answer to the Marquess d'Alberville's : That they had Armed in imitation of his Britannick Majesty, and the other Princes, and that they had thereby given no just Cause of Offence by Arming, when all other Princes were in Motion ; and that they were long since convinced of the Alliance, which the King, his Master, had treated with France, and what had been mentioned to them by Monsieur le Count d'Avaux in his Memorial.

This Answer K. James took all one, as if the Dutch had actually declared War against him ; and all the Eyes of England are now turned toward Holland, as if from thence they expected Deliverance, from the Designs of King James, and his popish Crew ; and the Fathers and Sons too of the Church of England, are at as much variance in their private and publick Prayers to God, as Whig and Tory were in their Humors ; for in their private Prayers, they pray for prosperity to the Prince of Orange ; and in the Liturgy they pray that God would be King
James's

James's Defender and Keeper, giving him Victory over all his Enemies.

God was pleased to preffer the private Prayers of the Church-men, before those of the Church, and to have granted both had been impossible, and to put an hook in the *French* King's nose, who turned those Forces which he had raised (not for the Peace and Tranquility of *Europe*, as *d'Arvaux* said in his Memorial to the *Dutch States*) upon the Empire, where without any Declaration of War, or Cause alleaged ; he first fell upon *Philipsburg*, which he took, and after *Hidelburg* and *Mainheim* ; and whilst he was thus engaged, he left the Prince of *Orange* free to vindicate his Cause against King *James* ; whereas if the *French* King had turned those Forces which he employed against the Empire, upon the *Spanish Netherlands*, and he might have as justly done this, as that, the Prince of *Orange* would have had little Force, and less Leasure, to have made any Attempt upon King *James* : Thus God is pleased often to turn the Wisdom of the Crafty (I will not say *Wise*) into Folly and Destruction.

Thus have I brought down the History of this King's Reign, to the History of the *Desertion*, where at large and particularly you may read, How by a Wonder equal to King *Charles* his Coming in, King *James* Went out: And if no Human prospect could have fore-seen where the Tyranny of King *Charles* the first's Reign would have ended, if the *Long Parliament* in 1640, had not put a full stop to it; so no uninterested Person was so pur-blind, as not to see, if the heroick Magnanimity of the King in his Queens, his Own, and the Nations Right,

and for the common Safety of *Christendom*, had not put a stop to King *James* his Designs : But the popish Superstition, and *French* Tyranny, would have been imposed upon these Kingdoms, and have over-spread *Christendom*.

We admit these four Kings of the *Scottish* Race had an Hereditary Title to have governed *England*, by the Laws and Constitutions of it ; yet no Hereditary King hath any higher Title, nor any Man a Right to do Wrong ; and for an Hereditary King to Govern otherways, is a greater Tyranny, than if an Usurper does, by how much he adds perfidiousness, and breach of his Trust to it.

Yet so it was, that these last four Kings of the *Scottish* Race, which should have been the Guardians of *England*, in preserving the Laws and Constitutions of it, and to have maintained the Honour of it abroad, made it their business to have subverted them ; and being thereby always at variance and Contentions with their Subjects, lost their own and the Nations Honour abroad, and by taking no care of the foreign Concerns of the Nation, became contemptible to other Nations : Nay, the last three Kings, instead of restraining the *French* Ambition and Tyranny, joined with them in advancing of them ; as if they designed to make the *French* King an Universal Monarch, as well as to destroy the Constitutions of *England* : And I would know a Reason why, now his Majesty King *William* has, by God's blessing, redeemed this Nation from the imminent Danger which the *French* King, in conjunction with King *James*, designed upon the Western parts of *Christendom*, as well as these Kingdoms of *England*, *Scotland*.

land and Ireland, any Christian should endeavour, or desire the Restitution of King *James*, any more than the *Primitive* Christians did *Dioclesian*, *Maximin* and *Maxentius*, after God had freed them from their Rage and Persecution by *Constantine*.

EPILOGUE.

MY Lord *Bacon* compares Times to Ways, some more plain and easy to pass, others more rugged and more hard to pass; the former is better for him who lives in them, the latter is better for the Reader, not only in the pleasure of reading the variety of Accidents in them; but because in their Contests fine Notions arise, which otherwise might have been concealed, and which may be beneficial to the Readers in succeeding Times; and also in shewing the Causes of these Distempers, succeeding Generations may be admonished hereby to prevent them in time to come.

In these Treatises we have given an Account of the manifold varieties of Accidents, which have hapned for above 80 Years in the Kingdoms of *England*, *Scotland* and *Ireland*, *France*, *Spain*, and the States of the *United Netherlands*; and though the *Roman* and *Grecian* Histories may give Instances of the like by Land, yet none of them can shew the like of the *French* Grandeur by Sea, in little more than forty Years; but more especially, in that this was acquired in the face of two neighbouring Na-

tions, either of which could have prescribed Laws to all the World besides herein; the one claiming the Dominion of the *British Seas*, the other of the *Indian and Southern Ocean*.

On the other side *Spain*, which in the Reign of Queen *Elizabeth* was both the Envy and Dread of these *Western* parts of *Christendom*, is now fallen into that abject State, as it is scarce in the power of *Christendom* to uphold it from falling under the Dominion of the *French*; And this History, in some measure, hath shewn the Causes both of the Grandeur of *France*, and the Cadency of *Spain*.

To the natural Advantages which the *French* had above other Nations, after the death of Queen *Elizabeth*, was added, that *James* the first, and *Charles* the first of *England*, whose Interest it was to have restrained the ambitious and aspiring Humor of the *French*, were degenerate Princes, wholly given up to be governed by Flatterers and Favourites, and made it their business to usurp another Jurisdiction over the Nation, than they could claim by their Inherent Birth-right; so that if the *Long Parliament* in 1640, had not put a stop to *Charles* his Career, no mortal Creature could have fore-seen where it would have ended.

King *James* not to disturb his licentious and voluptuous Pleasures stood only still, and looking on, whilst *Lewis* the 13th. had near broke the Interest of the *Reformed* in *France*; but *Charles* in the first Act of his Reign, lent the *French* a Fleet to subdue the *Rochellers*, at that time superior to *Lewis* by Sea; and as inconsiderately in the second year of his Reign made War against *France*, having in the first year made War against the *Spaniard*, whereby both

Spain

Spain and France, joining against the *English*, brought
 at Loss and Dishonour upon the *English*, in the
 Expedition to the Isle of *Rhee*; and *Charles* being
 loose in his Resolutions, as inconsiderate in his
 Actions, after the death of the Duke of *Buckingham*,
 who had engaged him in both these Wars,
 made a secret Peace with the *French*, and left the
Reformed out of it, tho' he engaged them to join
 with him in the War, whereby the whole Interest
 of the *Reformed* was rooted out; so that the Ori-
 ginal of the *French* Grandeur by Sea and Land, may
 truly be ascribed to these two Hereditary Princes
James and *Charles*.

After the Tyranny of *Charles* his Reign had de-
 generated into the Usurpation of the *Rump*, they
 thinking to prejudice the *Dutch* made the Act of
Navigation, which cramp't up all the foreign Trades
 of *England*, and the fishing Trade (which above
 all others is the Nursery of Seamen, and encrease
 of *Navigation*) to *English* built ships, and failed
 with $\frac{3}{4}$ *English*, whether there be Ships, or Mari-
 ners, or not, and without any consideration of
 Times, whether of War or Peace.

Though we have in this History, and in *The Rea-
 sons of the Decay of the Strength, Wealth and
 Trade of England*, and also in the *View of the Act
 of Navigation*, in reference to the Laws which yet
 stand unrepealed; to the Trades for Masts, Rafters,
 Boards, foreign Oak, Timber, Pitch and Tar; and
 to the Trades for rough Hemp and Flax, and to
 the fishing Trades; and also to the safety of the
 Nation against Foreign Powers, at large demon-
 strated the Iniquity of this Law, and the dange-
 rous Consequences of it; yet it is fit even here to
 take

take some notice of it, and of the Navigation of the Nation before the Act, and how the Case stand now by reason of it.

Before the *Rump* contrived the Act of Navigation, the *English*, as the Traders told me, alone fished upon the Coasts of *Island* and *Westmony* for *Ling* and the Cod-fish called *Haberdin*, and at that time the Town of *Albourn* in *Suffolk*, as I was informed, fished yearly to those Seas with 35 Sail of Vessels, called *Islands Barks*, and the Town of *Sould*, or *Southold*, with fifteen, and *Great Yarmouth* with manifoldly more, the number I cannot tell; but this I can tell, that besides *London*, and other parts of *Norfolk* and *Suffolk*, which they supplied with this sort of Fish; as also the Navy Royal, and other Ships with this sort of provision, The Town of *Yarmouth* yearly Exported to *Calice*, *St. Valery*, *Diep*, *Harver de Grace*, *St. Malo's*, *Brest*, and other parts of *France*, 150000 *Haberdin* and *Ling*, and by their Trades with these, returned Sails and Nets for their Navigation and Fisheries; *Wells* and *Lyn* in *Norfolk* too drove Trades into these Seas, but I am not informed in how many Vessels, but I have heard the Inhabitants of *Wells* complain, that they have almost lost their Trades, and I believe *Lyn* wholly.

Before the Act of Navigation, the *English* from the Western Ports, drove threefold a greater Trade to the *New-found Land* Fishery than the *French*; whereas the *French* now drive above twenty fold more the Trade to the *New-found Land* fishery than the *English* do: I have heard Sir *William Booth* say, he had seen in one year above 100 Sail of great *French* Vessels, of 20 and 30 Guns, sail into the *Streights* from

in their *New-found Land* Fishery, besides their
 supplying *France* with them, and also their Trades
 to *Spain* and *Portugal*,

Before the Act of Navigation, the *English* from
London and *Tarmouth* drove considerable Trades to
New-Land for Whales, which Trades, as they are
 wholly lost to the *English*, so are they driven by
 the *Dutch* and *Hamburgers*, and in a great measure
 carried on by the *French* : I remember, that the
 year after this Revolution, the *English* took 14
 these *French* Vessels, in their return from the
 whale fishery ; and as this Fishery is wholly lost to
 the *English* (which will never be retrieved by
 making it a Monopoly) so is that of the Town of
Tarmouth into *France*, upon the account of the
French and *Westmony* fishery ; and the rest of the
 Trades of the *English* in that Fishery, not one tenth
 what it was before the Act of Navigation ; nor
 from the Western Ports to the *New-found Land*
 Fishery, $\frac{1}{3}$ of what it was before the Act of Navi-
 gation, and I wish the Parliament, at their next Sit-
 ting, would enquire into the truth hereof to prove
 it a Lyar. I say that the fishing Trades above all
 others encrease Navigation and Mariners ; and if
 the Causes of the Cadency of our Fisheries and
 Navigation be not removed, the loss of both will
 be inevitable ; the Consequences whereof will be
 dreadful to the Nation, that I tremble to think
 of them ; for as we decline, both *French* and *Dutch*
 will raise themselves out of our Ruine.

Every Ship is made of her Hull, Masts and Rig-
 ging, which are her Sails and Cables ; Timber for
 the Hull (or Hulk) of a Ship we have in *England*,
 as I have shewed elsewhere, how improper our
English

English Timber is in all our Navigations, except the *New-Castle* Trade, and so dear in the Carriage and Working, that the *Dutch* build the Hulks of Ships of like Dimensions, for less than the *English* can, and by their great Experience in Building, build Ships for all sorts of Trades more conveniently, that a Ship of like dimensions *Dutch* built, shall carry neer $\frac{1}{2}$ more Freight than an *English*.

Pitch, Tarr and Masts we have not of our own but Trade generally to *Norway* for them; and we order the curing of our Hemp in *England*, not only dearer here, than it may be had from *Liesland* and *Prussia*, but so spalt (as they call it) that Cables made of it, will not endure the stress of Weather, when Ships ride at Anchor, as foreign Hemp will.

Before the Act of Navigation the *English* traded to *Norway* in *Dutch* Vessels, or Bottoms, and the imported Masts, Raff, Pitch, Tar, and this the *English* might do by the Act of the 1 Eliz. c. 13. and then the *English* imported them so cheap, that the *Norwegians* could build but 6 small Vessels for their Trade into *England*; but after the Act of Navigation, when the *Norway* Trade was restrained to the *Norwegians*, and *English* in their inconvenient decayed built Ships, in little more than two years, the *Norwegians* increased their Ships from six to above sixty, and those of double dimensions than the former were; but after *Oliver* dispensed with the Act of Navigation, the *English* *Norway* Merchants imported goods so cheap, that the *Norwegians* were forced to sell their Vessels for want of Employment. This Mr. Lee and Mr. Smith, *Norway* Merchants were ready to have testified before a Committee

the Commons, when Endeavours were used in 1667, for the free Importation of Timber, Board, and Raff, after the burning of the City of London; though these be dead, yet I am assured Sir William Brouncker and Mr. John Hammond, Norway Merchants, know this to be true.

But the Inhabitants of *Liesland* and *Prussia* trade with us, and the *Dutch* by the cheapness of their Navigation, and full Freight of their Vessels, export Rough Hemp and Flax from *Liesland* and *Prussia* $\frac{1}{3}$ cheaper than the *English* can, and when these are converted into the Manufacture of Cordage and Sails, its free for the *Dutch* to import them into *England* by the Act of Navigation, where we do not only lose the employment of many thousands of poor people, and depend upon the *Dutch*, but pay $\frac{1}{4}$ more for these, than if Rough Hemp and Flax were freely imported.

From hence it was, and I speak this of my own knowledge, that in the year 1651, I was Part owner of a Vessel built at *Walderfwick*, before the Act of Navigation; and of another built by the same builder in 1655, and this latter cost near $\frac{1}{2}$ a proportion more than the former, and the reason the Builder gave was, the dearness of Masts, Cordage and Sails; and I have no reason to believe the case is now any better, the Reasons being the same, and our Timber much dearer, and Carriage farther; so that I do believe the Carriage of our Timber to the Rivers where Ships are built, costs more than the *Dutch* pay for their Timber where they build Ships: Add hereto, that our fishing, and other Vessels in Navigation, require more Hands to navigate them, than the *Dutch*,
(and

(and for ought I know than *French*) of like dimension

Now consider the Fish in all fishery costs nothing but the Catching and Curing, and that Nation which can catch them cheap, and cure them best, are sure of a foreign Trade for them against any other; and the *English*, by this Act, being obliged to fish in double dearer Vessels, and more conveniently built, and sailed by $\frac{1}{3}$ more hands than the *Dutch* (or *French* either, for ought I know) have eternally fixed the fishing Trade upon the Coast of *England* and *Scotland* to the *Dutch*, lost the *Greenland* Trade, and retain not $\frac{2}{3}$ of the Trades which they had to *Iceland* and the *New-found Land*, before the Act of Navigation.

After the Dissolution of the *Rump*, *Oliver* ruled and though for about two Years before his death he gave the *English* some benefit in building Vessels by dispensing with the Act of Navigation, in reference to the *Norway* Trade; yet he took no care to relieve them, by dispensing with it, for the free Importation of rough Hemp and Flax from *Liechland* and *Prussia*, for fitting up our Vessels, and employment of our poor people, Men, Women and Children; and tho' he did well in so far dispensing with the Act of Navigation, I'm sure he did ill by his Frantick breaking with *Spain*, and joining with the *French* against it, to the irreparable Loss of the *English*, and not only to the endangering the Safety of *England*, but of *Christendom*.

It is not foreign to this Design, if notice be taken, that after King *James* the First became King of *England*, to the Restoration of King *Charles* the Second, only *Philip* the 3d. and *Philip* the 4th. were Kings of *Spain*, and both zealous biggotted Princes

to the *Romish* Superstition, and both weak and effeminate Princes wholly governed by Favourites, and *Philip* the 4th. a luxurious and vicious Prince; and that *Ferdinand* the 2d. after the Victory at *Prague*, endeavoured to subject the Freedom of *Germany* by force, which brought the *Swedes* into *Germany*, and the *French* siding with the *Swedes*, took *Philipsburg* and *Brisac* upon the *Rhine*, which opened the two Passages into the Empire, by which this present King has been enabled to make those Wars and Ravages in the Empire, which have since succeeded.

After the Restoration of King *Charles* the Second, the whole Series of his Reign was imployed in assisting the *French* in all their ambitious Designs; so did the *Dutch* and *Dane*, when he had engaged them in a War with *England*; and the *Oxford* Parliament first made the Act against the Importation of *Irish* Cattle, whereby they disjoined the Interest and Dependency of *Ireland* upon *England*, and fixed it upon *France*, and other Countries which traded with them; and enabled the *French* and *Dutch* to victual Ships cheaper in their Fisheries, and other Trades than the *English* could; as much to their benefit, as prejudice to the *English*.

How King *James* the 2d's Conjunction with the *French* had brought these Nations, and *Christendom*, to the brink of Destruction, was said in his Reign: In this state these Kingdoms stood, when God was pleased to give them Deliverance by the interposition of his Majesty, and now all the neighbouring Nations upon *France*, I mean *Spain*, the Empire, *Savoy*, and the *Dutch*, as well as *England*, were alarmed at their common danger, by the *French* Ambition and Grandeur; and all their Eyes were upon
England,

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England,

England, as if from thence they expected safety; and now was the King of *England* again become the Arbitrator of *Chriftendom*, after the four former Kings were so contemptible, and neglected by it. But in two things the *French* King's Ambition, or rather Madnefs, put some check to his aspiring Designs, viz. his Contests with the Pope about his Franchizes at *Rome*, and the *Regalia's* of *France*; and by the extream on the other side, in his revoking the Edicts of *Nants*, and his Dragooning Reforming the Protestants of *France*, whereby he lost innumerable of his Subjects, to the weakning of his own Power, and that in double proportion; for his Enemies (as he made them) became so much the more numerous and stronger; for those which became Exiles, being an industrious sort of People, had contributed highly to the encrease of the Wealth of *France*, so that now the charge of the War must have been supported by those he left; yet in this state *France* alone, for above five Years, made an Offensive and Victorious War by Land against *Germany*, *Spain*, *Holland*, the *Spanish Netherlands*, and the Duke of *Savoy*, tho' all these were assisted by the Power of *England* and *Scotland*.

Though *England* embraced their Deliverance by the King, *Ireland* did not, nor was it their Interest, for why should the *Irish* join with the *English*, who would have no Trade with them, against the *French*, upon whom the *Irish* depended by their Trade and Commerce: And its observable, that though the *French* assisted the *Irish* above three Years in their Wars against the *English*; yet it may be a Question, Whether the *French* did not gain more by their Trade

Trade with *Ireland* for Wools, Tallow, Raw-Hides and Provisions for their Fleet, than their Expence for carrying on the War against the *English* did amount to; whereas the *English* in the War against the *French* and *Irish*, maintained the War at a foreign Expence; and being a Naval War, were forced to victual their Fleets at $\frac{1}{3}$ greater Expence, than the *French* could do from *Ireland*.

Another Advantage the *French* had over the *English* in this Naval War was, that *Brest* lying South of *Ireland*, every Wind, not North, in one course carries their Fleet to *Ireland*; whereas *Chatham*, from whence the *English* sent their Fleet to oppose them, lies five fold more remote from *Ireland* than *Brest* does; nor can the Ships from *Chatham* be carried to *Ireland*, but by different Winds, and steering different Courses, almost from all the Points of the Compass, for it must be (after the Ships are come within the Buoy of the Nore) a South, or South West wind to carry them to the Buoy of the Gunfleet, before they turn into Deep Waters, then a quite contrary Wind brings them into the Downs and Channel, and when they have sailed above an Hundred Leagues, another Wind carries them to *Ireland*.

From hence it was principally, that the *French* for above three Years together, (so long as the War lasted) sent out their Fleets upon the Coast of *Ireland*, did their business, and returned to *Brest*, before we could get up our Fleets to oppose them. Yet *Falmouth* and *Milford Haven* are much better Ports, and lie better, and more conveniently than *Brest*; *Milford* much more to have relieved *Ireland*, and oppose the *French* Designs at *Brest*,

yet from neither did we send one Ship to do it.

I suppose if the Reason hereof be asked, it will be answered, that there were no Docks, Ship-wrights, or Naval Stores in either, to have supplied our Men of War in those Ports ; but from whence comes this to pass, there were two Reasons hereof from within, and from without ; from within, *Foy* and *Haverford West* (and the Port Towns generally of *England*) are Corporations, and the Inhabitants poor, yet proud of their Prerogatives, in exceeding the rest of the Nation, and so have so much less means for building Ships, Docks, or carrying on the Fishing, or any foreign Trades, as the Inhabitants are fewer and poorer, and generally they are all Beggars.

The other Reason from without, is the Act of Navigation, against Foreigners partaking equal benefit in Trade with the Natives of *England*; so that tho' God and Nature has endowed this Nation with more excellent and noble Ports, than any other Nation in the World, of like bigness, (except *Ireland*) for the benefit and convenience of the Nation, yet by the Iniquity and folly of our Laws, we have made them vain, and of no use to ourselves, nor to any other Nation ; whereas I am confident the *French King* would give any of his new conquered Provinces in the *Spanish Netherlands*, to have one such Port as either *Falmouth* or *Milford Haven*, upon the Coast of *Normandy* or *Britaign*, within the Channel. Notwithstanding these Obstacles, the Kingdom of *Ireland* is again reduced to the Dominion of the Kingdom of *England*; But, I say, though we should destroy the *French Fleet* of War, yet if we do not redress the Oppressions,

sions, which the *English* in their Trades and Navigation lie under, the Nation will be no ways secured from the growing Greatness of either *French* or *Dutch*, for the same Causes will have the same Effects.

Expedients by which the English Nation may be secured, against the growing Greatness of the French and Dutch.

Apology.

WE have Epitomized the Causes of the declining of the Wealth, Strength and Trade of *England* in this *Epilogue*, that they may be more obvious to the Reader, then if he should look for them as they lie dispersed in the body of the History; and I am conscious to my self, of the Difficulties I labour under in these *Expedients*: For a Reformation of State of Affairs cannot be made, but to the hindrance of many particular Men, whose Education, it may be, has placed them in their Stations; these are known, and by these I am sure to meet with all possible opposition, whereas in contending for the Benefit and Security of the Nation, every Body's business, is no Body's business, and not one in ten thousand will concern themselves in it: However Truth is Sacred, and a divine Air attends it, and what is neglected in the present time, may prevail in succeeding Generations. And I will beg but this one thing of my Opponents,

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ponents, that they will not answer me by Clamour, but by Reason, and not Reason in extreams, for thereby we shall differ and wrangle in the means without end, and let this stand for a Maxim, *That the Publick, in all Business of this concern, is to be preferred before the Private, and the Safety of the Nation, before any Man's particular Interest.*

The Security of every Country depends upon the strength of one Country against another, in case of War between them; and herein Countries are to be considered as they are placed in reference to each other: The bounds of *Inland* and *Mediterranean* Countries, are Rivers, Lines and Forts, which are esteemed Sacred, and a Violence done to them, is esteemed a just Cause of War, and so long as these are preserved, the Countries within are secured from foreign Wars.

Britain is an Island which knows no bounds but the Ocean, and the Kings of it are Sovereigns of those Seas which beat upon the *British* Shoars, and in preserving this Sovereignty, *Britain* is more secure from foreign Invasion than any other Kingdom in the World, (how great soever) which is on the *Terrene* Continent.

But this Dominion hath been of late Disputed by the *Dutch*, and is at present by the *French*; nor shall the King of *Britain* be secure of the Sovereignty longer, than he is able to defend it against the *French* and *Dutch*, whereas at present the *French* contend for this Sovereignty against the *English*, in Conjunction with the *Dutch*: But suppose by an Accident in the Times, in these Circumstances, the *French* had joined the *Dutch*, as they did in the first *Dutch* War, in K. Charles the 2d's time, not 30 Years since, in what a Condition had these Kingdoms of
England,

England, Scotland and Ireland been in? And I say the King of *England* shall never be able to maintain the Dominion of the *British* Seas, and thereby secure the Safety of the Nation, unless he be able to defend it, against the *French* in conjunction with the *Dutch*.

I'm a lover of Mathematical Learning, because it premises its Principles, before Men begin to learn, or reason from them; whereas otherwise, where Men begin Disputing, they proceed and end in Contention and Wrangling; and, I say, that Trade is a principle to Navigation, but above all the Fishing Trades, and therefore as you increase your Trades, so you may infinitely increase your Navigation; and as Trade is a Principle to Navigation, so is Navigation a Principle to maintain the Dominion of the Seas; and therefore so much as the Trades of *England* be lessened, so much will the King be less able to maintain the Dominion of the Seas upon the Coasts of *England* and *Scotland*, and this will be in a double proportion, for so much as we lose in either, the *French* and *Dutch* will gain, as well to the loss of *England*, as to the endangering the safety of it against foreign Enemies: How therefore we may preserve the Trades which we now enjoy, and increase them by our selves; and where we cannot do by our selves, by the help of others, is the main design of these *Expedients*.

The first Expedient.

That the King Establish his Throne in Religion, Justice and Mercy, and that herein the Subjects Fear God and Honour and obey the King; for if either stray from hence, they will fall either into Confusion or Tyranny, whereby the Nation will become divided in it self, to the endangering the safety of

it, from within and without, and never be happy till it be restored to what it was before.

The second Expedient.

1. That for the Conservation of the Trades we now enjoy, and for the Employment of our *English* Natives, Foreigners continue to be excluded from trading to our *American* Plantations; and herein neither *French* nor *Dutch* have any reason to complain, for the *Dutch* do the same in their *Spice Trade*; and so do both *French* and *Dutch* in their *African* and *American* Plantations; But herein its not fit for the *English* to be restrained to *English*-built ships; as well for the inconveniences which have been shewed before, as for that we may want *English* Timber for this, and our other Navigating Trades, and the King for building and repairing his *Navy Royal*, wherein our *English Timber* excels all other, being more tough, and less liable to splinter, whereby the *English* Men of War, built of *English Timber*, will endure a Battery, which ships built of Foreign Timber will not.

2. That the Home-vent of our *Newcastle* and *Sunderland* Trades, in times of Peace be driven by the Natives of *England* exclusive to Foreigners: as also our other Trades, from Port to Port in *England* and also to *Ireland*; though these be impoverishing Trades to the Nation; for the Pitch, Tarr, Masts, Cordage and sails generally used in these Trades are foreign Commodities to the Nation, and for acquiring which, we return very little of our Manufactures; and the digging the Coals out of *Pitts*, and burning them in *London*, and other Places, no ways enriches the Nation to supply the foreign expence, for Pitch, Tar, &c. used in them; nor
are

are either Old Men, Women or Children imployed in these Trades, but only Young and lusty Men, and, that but half the Year: So that *Ipswich*, and other Coast-Towns which depend upon these Trades, are almost quite unpeopled, by reason the rest of the Inhabitants find no Employment in them: However I'm confident that this *New-Castle* and *Home-Trade*, and that to our *American* Plantations, imploy above $\frac{4}{5}$ of all the ships, in all the Trades we drive by Navigation; and therefore we'll take care to keep these by excluding Foreigners out of them in times of Peace: and unless Foreigners beat us out of these Trades they cannot get them from us.

For ought I know the *New-Castle* and *Sunderland* Trades are better carried on in *English* built Ships than foreign, because Coals, being a bulky Commodity, and lying loose in the Hould of the Ships, in stormy Weather, and rowling Seas, batter the sides of the Ships, and the *English* Timber being tougher than foreign, it better endures this than those foreign built; but it were arrogance for any to say, because of one convenience, no other Ships shall be imployed in this Trade, for hereby the King may want *English* Timber to build and repair his Men of War, besides all Arts and Sciences are infinitely progressive; and if the means for carrying on Arts be restrained, or denied, this will not only cramp the improvement of this Art, but make the present performance of it more difficult, and no Man that is less conversant in any Art, or Business, understands how to manage them so well, as those Men who make it their business, and are more conversant in them.

It is therefore extream Arrogance and Injustice in any one, to prescribe to another, how, and by what means he shall manage his business, and by no other: Every Man in his profession ought to use such just means for carrying on his business, as he shall find most convenient, and not be restrained to such means as another shall impose upon him; add therefore what ever my Opinion, or any Man's else be of carrying on the *New-Castle* Trade in *English*-built ships, yet its not fit to impose it so upon others Negatively, that they shall use no other: and Trade, and all Arts flourish most where they are more free, and have more means to improve them; and tho I believe our *Turkey* and *Italian* Trades are better caryed on in *English* built Ships than others, because they being more Warlike, and double better Manned than foreign, they will fight their Passage against the *Algerin*, *Tunis* and *Tripoly* Pirates, when other Foreign Vessels easily become a Prey to them; yet I think it unjust to forbid the *English* to trade in any other Ships into the *Streights*.

The third Expedient

Since the Strength and Trade of every Nation begins at the Inhabitants, it will be the Interest of the Nation to continue the Inhabitants in it, and how these Inhabitants may be employed to the benefit of the Nation, is the next Consideration: And therefore it is expedient, that the Liberty, which at present is granted to *Dissenters* from the Church, be continued, least by proceeding against them by severe Means, as was done of late for five years together (*viz.* from the year 1635, to 1640) and since, they flee out of *England* into our foreign Plantations,

tions, or into *Holland*, as they then did, and taught the *Dutch* the Woollen Manufactures wrought in *Suffolk* and *Essex*, which was one principal Cause that the *English* have almost lost all their Trades of Woollen Manufactures in the Kingdoms and Countries within the *Sound*, and thereby the *Dutch* Trade for these is vastly increased; and also least they be provoked into intestine Broils, as succeeded in the Year 1640. Nor has *Holland* had the benefit of the Persecution of the Dissenters in *England* only, but I do assuredly affirm, that the raging Persecution of the Protestants by *Philip* the 2d. in the *Spanish Netherlands*, and by *Henry* the 2d. in *France*, and these finding an *Asylum* in *Holland* against these Persecutions, was the Original of the *Dutch* Greatness; and it may be a *Problem*, whether the now *French* King has not lost more by his revoking the Edict of *Nantz* and by his Dragooning reformation of the *Reformed*, then he has got by all his Conquests in the *Spanish Netherlands*, the Empire, *Savoy* and *Spain*, and after all he is not sure, but in acquiring these, he has endangered the safety of his Kingdom of *France*.

The fourth Expedient

In the Employment of the Natives there is a twofold consideration: First that the poorer sort of youth be instructed how to be employed. And 2dly, that no Man be excluded out of any Place, from having the benefit of his breeding and Labours; I see no reason why men should merit their Freedom in any Art or Mystery by their being bound apprentice to it for seven years; for if they have any benefit by it, let them Enjoy it, but to exclude any other from exercising his Trade, because, tho'
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a better Artist than one bound apprentice to it, he has not served seven Years in it ; is not only Tyranny and Injustice, but of Publick detriment.

I say it is Tyranny and Injustice, for the generality of Man-kind eat their bread in the sweat of their brows, and Cares of Mind, and have no other Subsistence but by their Labours, and therefore to take from another his honest means of Labour and Living, is a greater wrong, than to have robbed him ; for this hinders him but in his present Condition, whereas it is worse to take away a Man's means of Living, than to take away his Life ; for this puts a Man upon the ungodly Courses of Thieving, Sherking, and Deceit ; and with what Justice can a Man be punished for doing ill, who is not permitted to do well ?

I say, the denying a Man the benefit of his Labours is a Publick detriment, for all Countries flourish by the Inhabitants Labour and Industry in living ; and every Man's labour being a benefit to another, hereby the Publick becomes injured, as well as the Man that is denied the benefit of his Labours.

Objection.

By the Act of the 5 Eliz. 4. It is unlawful for any to Work in any Trade, in any Corporation, or Market Town, but he who has been bound Apprentice to it seven Years.

Answer.

All men by the *Law of Nature*, are obliged to get their Livings by honest Callings, and to be helpful to other Men ; and Human Laws ought to aid the *Law of Nature* herein, and to punish those who hinder Men from their Labour and Employment ;

ployment; and whenever Human Laws are contrary to the Law of Nature, the execution of them, is practising Iniquity by a Law: If a Man has been bound Apprentice 7 Years to any Profession, it may be he has thereby a benefit above another, not bound 7 Years; but shall this other therefore not subsist, or be of any benefit to the Nation, because that was bound Apprentice: this is such a Topick in Reasoning, as I never desire to be conversant in.

But why must being bound Apprentice 7 Years, entitle a Man to a Freedom of working in any Art or Mystery? Suppose one is Bound, and is a Block-head, and another more ingenious in it, not so Bound, is there any Reason that shall be free, and this other not employed? I am assured that it is otherwise in *Holland*, where Men in purchasing their Freedom are not questioned, how long they have been bound Apprentice, but how well they can work in any Art or Mystery.

I agree there are some Professions which depend chiefly upon bodily labour, as *Black-smiths*, *Carpenters*, *Shipwrights*, *Husbandmen*, &c. which cannot be well acquired but by being bound Apprentices to them for some Time or Years; but I see no reason, why in others which do not so much depend upon bodily labour, Youth should be bound Apprentice at all, but may be better instructed without it; for as in all scientific Learning, Youth bred up together will better be instructed in Company, and learn by one another, than where one single Youth is instructed by one Man; so in the Arts of *Comb-ing*, *Spining*, *Weaving* and *Knitting* in Woollen Manufactures, and in *Silkthrowing Weaving*, and
in

in many other, Youth will be much better instructed in Confort and Company, than when alone.

There is one Mr. *Robert Cooke*, who is a more rigid *Pythagorean* than any (I think) of the Ancients, for he will not drink any thing but Water, nor eat of any thing which had Sensitive Life ; nay, he will not wear any thing which came of any living sensitive Creature ; but his Hat, Cloaths, Shooes and Stockings are all made of Linen, and so is the bed he lies in.

After the Natives of *Ireland*, upon the Act against Importing of *Irish* Cattle, had converted their feeding Grounds of great Cattle into Sheep-folds, and the Wools of *Ireland* being generally better for Woollen Manufactures (as he told me) than those in *England*, This Mr. *Cooke* set up a Woollen Manufacture in the County (as I remember) of *Wexford*, wherein he set on work, either 40 or 80 Lomes, and I think each Lome employed ten poor Children in Sorting, Combing and Spining of Wool, and would entertain none but poor married People, and their Children in working ; for whom he first provided an Habitation, and and all sorts of Instruments for their Work, and Materials to work on ; they needed no great instruction how to work, but were instructed by one another in Confort, till they had learnt how to comb and spin ; and in working in common, as they could improve themselves, so he preferred them. I asked him why he took only poor People, and their Children, he told me, *Because he was sure of them, when he had most benefit of them, whereas if he took young single People, which lived of themselves,*
they

they would leave him, when they could subsist without him.

Hereby Mr. Cooke holding correspondence with Merchants in *Holland* for these woollen Cloths, acquired great Riches, and a little before (I think the Year before) the Revolution of *England*, was made Sheriff of the Country, I think, of *Wexford*; but being zealous against the Superstition of *Rome*, upon King *James* his coming into *Ireland*, Mr. Cooke came into *England*, and would have set up his Trade in *Ipswich*, if the Town would have permitted him, though *Ipswich* be scarce half inhabited, which they would not, so he set up some Lomes without the Town, but he told me, he could not get any Children to work, though he proffered them a Penny in a Shilling more than was given, either at *Colchester* or *Norwich*. I never saw him but once, and this was three years since, and now I hear he is returned back to *Ireland*.

But admit Binding of Apprentices were necessary in learning of Arts, or Mysteries, I would fain know what is the Art and Mystery of Whole-sale, and Retail Traders, or of Vintners, that Youth should be bound Apprentice to them, or of what use are they to the Publick, but an unnecessary sort of People; and because these are bound Apprentice, which no ways contribute to the benefit of the Publick, therefore other People which do, shall reap no benefit of their Labours, because these labour not at all.

The fifth Expedient.

That for the future no Youth be bound apprentice to any Vintner, Whole-sale, or Retail Trader, whereby the Nation may reap the benefit of those,
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which might have been thus bound, in other Employments.

The sixth Expedient.

That in all the Grammar-Schools of *England*, Youth of both Sexes be instructed in understanding the *English* Tongue, and to write it, and to be taught the use of *Addition* and *Subtraction gratis*; and if any will have their Children instructed in the *Greek* and *Latin* Tongues, let them pay for it; whereby Youth may be better enabled to manage their Business, in Dealing and Conversing in the World; for to Speak and Write in *English*, and *Addition* and *Subtraction*, if they be not necessary, yet are very convenient to all the *English* of both Sexes, and hereby the Supernumeraries which are bred up in Grammar-Schools, and our Universities, more than the Revenues of the Church can maintain, may be restrained, and consequently a greater Uniformity in Religion wrought amongst us.

It were to be desired too, that all learned Books, especially Mathematicks and History, were rendred into the *English* Tongue, as Cardinal Richlieu has done them in the *French*; and that in our Universities, these may be read to the nobler and better sort of Youth, from their first Principles; and that *Aristotle's Analyticks, Topicks, Physicks* and *Metaphysicks* be suppressd, not only as vain, but disposing Men to Contention and Discord, and that the Laws of *England*, after the Example of the *Græcians* and *Romans*, might be rendred into the *English* Tongue, and the practise of these less mystical and chargeable.

The seventh Expedient.

That in every Village a Work-house be erected, or, at least, every Village contribute to the Erecting of one in another Village, for to instruct the Youth of both Sexes, in such Arts or Mysteries as are more proper in them, whereby the Nation may reap the benefit of their Employments, and the poorer sort of People not forced to flee out of their Country, or become a burden to it.

The eighth Expedient.

That the drudgeries of Drawers and Tapsters in Taverns and Ale-houses, be performed by Women; that the Men may seek better Employments: I am sure they cannot be worse employed.

The ninth Expedient.

That Foreigners be excluded from the Trade in *Ireland*, and that the Trade between *England* and *Ireland* be free, so that *England* may be the Store-house of the *Irish* Wools, Beef, Tallow, Hides, &c. as well as of the Products of our Plantations, whereby *England* may have alone the Navigation, as well as Trade to it, and by the benefit of manufacturing their Wools, Hides and Tallow, not only Virtual our Fleet in Navigation, and the King his Navy Royal cheaper, but also drive a foreign Trade to *France*, *Spain* and *Holland*, upon the account of salted Beef, &c.

Let's see the dangerous state of this Nation, as the Case now stands between *England* and *Ireland*: Our Trades to *Norway*, *Prussia* and *Liefland* for Pitch, Tar, Masts, Raff, Boards, Timber, and rough Hemp and Flax, are generally a foreign Exerce, so is that to *Holland* for Cordage and Sails; and so is that to the *East-Indies*, which at a moderate Estimate amounts

to a Million Sterlin yearly ; and we have little to supply for these, but by our Trade to *Spain* for Woollen Manufactures, which if we lose, the Nation could not long support the Foreign Expence in these.

Now let's see the state of our Woollen Manufactures in *England*, compared with that in *Ireland*, in case Foreigners be permitted to Trade into *Ireland* for them. In *England*, the Wools of most of the Counties on this side *Yorkshire*, are brought by a Land-Carriage to *Norwich* and *Colchester*, to be manufactured there, and after that by another Land-Carriage brought up to *London*, as generally your *Western Cloths* are ; where only the Freemen of *London* must buy them at their own Prizes, and then in foreign Vent they are restrained by the Act of Navigation, to Ships doubly as dear built, and sailed with near double the Hands, foreign Ships of like Dimensions are ; and all the *Western Cloths* in their Vent to *Spain*, *Portugal*, *Italy* and *Turkey*, by a much longer Voyage, than if they had been Exported from any of their Ports.

Whereas *Ireland* is seated better than *England*, for the Trades of *France*, *Spain*, *Portugal*, *Italy* and *Turkey*, and the Ports equally good, or better than those of *England*, I'm sure much better than from *London* : The *Irish* shall have no need to carry the Wools of *Leinster* and *Munster* to *Ulster* by a Land-Carriage ; and when they are wrought there, to bring the Cloths to *Dublin* by another, where none must buy them, but the Free-men at their own Rates, and these bound to vend them in double as dear built Ships, and sailed with neer double the Hands of other Nations ; but if Foreigners be permitted



mitted to Trade, they may have the Cloths from the next Ports where they are wrought, and where the Artificers can live much cheaper than in *England*: The same Reason will be to the prejudice of our Leather made of Hides, Calves and Sheep-Skins in our foreign Vent; and if the *Irish* want Artificers, you need not fear the *Dutch* will furnish them; and at this rate how long shall we enjoy the foreign Trade, and Navigation to *Spain*, *Portugal*, *Italy* and *Turkey*, with our Woollen Manufactures or Leather, &c.

The Tenth Expedient.

That the *English* may Import rough Hemp and Flax, Pitch, Tar, Masts, Deal Boards and Timber in any Vessels.

Objection.

This will ruin our building Ships in *England*, and the Navigation of it.

Answer.

I expect such a large general Objection; but if we never built any Ship for these Trades, then our building Ships will not be prejudiced thereby; and if we imploy about 300 Mariners in the *Norway* Trade about three Months in the year, and an 150 for six Months in the year to *Liefland* and *Prussia*, Is this Imployment to be preferred to the free Importation of the Products of these Countries, and thereby save $\frac{1}{4}$ of the foreign Expence, and imploy, it may be, 50000 People, or more, Men, Women and Children all the year round, in making Sails and Cordage for our Navigation, and Nets for our Fisheries; and hereby be able to fit up Vessels for our Navigation and Fishing Trades, as cheap as the *Dutch*, and cheaper than the *Fre* *ae* can.

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The eleventh Expedient.

That the *English* Merchants be permitted to buy Vessels for carrying on the fishing Trades upon the Coasts of *England* and *Scotland*; I do not mean those mean Fisheries to supply *London*, and some places in *England*, by imposing double strangers Duties upon Fish imported by the *Dutch*, by the Act of Navigation; but such a Fishery whereby the *English* may, in some measure, partake with the *Dutch* in their foreign Trades of Cod-fish, and white Herrings, and also to buy vessels for the *New-found-land* Fishery.

Objection.

This would ruin our Natives in building Ships.

Answer.

This is at large again, for if the Natives never built, I'm sure since the Act of Navigation, one Ship for this Trade, of Fishing upon the Coasts of *England* and *Scotland*, what does this hinder them in building Ships for our other Trades? Nor does this hinder the employment of Mariners in them, for we have employed none in it these 30 Years: So that this Trade is like a great Man who is Lord of a great Lake, out of which his Neighbours grow rich and powerful, by the Fish they take out of his Lake; but this Man is so in love with his Family, that he will not permit any of them to Fish but by such Means, or Instruments, as others of his family will supply them with, but these are so dear and inconvenient for their Purpose, that they can only supply their Master's Family, whilst others supply his Neighbours better and cheaper; and in this state it will be in the power of these others, to beat him and his servants quite out of the

the Fishery, and take the whole benefit to them selves.

In the *New-found-land* Fishery the *English* do, and always did, build Vessels for it; but these are such, that the *French* have almost ruined their Fisheries, I am sure in the foreign vent of them. and therefore the buying Vessels for this Trade is as Necessary, as for that of the Fisheries upon the Coasts of *England* and *Scotland*; and tho' the *English* heretofore built Vessels for the *Green-land*, *Island* and *Westmony* Fisheries, yet they were such, as the *Dutch* and *Hamburgers* have wholly worm'd us out of the *Green-land* Fishery, and left us very little of the Fisheries to *Island* and *Westmony*.

It were to be wished that an Experiment might be made of building Vessels for our Fisheries, especially for that of the *New-found-land* in *New-England*, where Timber, Masts, Pitch and Tar, is cheaper, and it may be better had, than the *Dutch* can import these, or bring them into *Holland* down the *Rhine* and *Maes*; but the Attempt of this must be done for some years upon a Publick Account.

The twelfth Expedient.

That the *English* be permitted to buy ships in the foreign vent of our Manufactures, and the Product of our Plantations. It's a strange thing to me, that the Navigation of *England*, being so necessary for the safety and enriching of it, that others not conversant in it, as the *Rump* were not, should restrain it to one sort of shipping; for such a restraint cramps all Learning and Reasoning in every Art or science, without any possible progression, or Improvement beyond it. And I say this restraint was as absurd, as impolitick; I say, it was absurd, for it sets the

Cart before the Horse, for Trade is a Principle to Navigation, and Navigation a mean in carrying on Trade; so that as you increase your Trades, so you may your Navigation, if your hands be not bound up from it; But if you begin at Navigation, and tie your selves only to one sort of Ships, it will be impossible to increase your Trades beyond it, whereby all those people's labours which are restrained to this Navigation will be lost, and these a burden to the Nation.

I say this *Restraint* is as impolitick, as absurd and unjust; for hereby you sacrifice not only the Navigation, upon which the Employment of people depended, to your Neighbours, it may be, your Enemies; but intitle their People to those Trades, which you so foolishly give them to your loss, and it may be undoing.

To these is added another dreadful Consequence upon the Nation, by the Act of Navigation, which the *Rump* in their hast and spite against the *Dutch*, did not foresee, at least, nor consider; for the Restraining the Navigation of *England*, to *English* built ships, hath so wasted the Timber of *England* that in convenient distances for building, the King will not find Timber in *England* to build and repair his Navy Royal, if this restraint be continued, and then in what a Condition will the Nation be. I will give some particular Instances hereof, which I know of my own knowledge.

Having observed the Scarcity of Timber upon the Coast of *Sussex* (which I take to be the best of *England* for building Men of War) caused by the Act of Navigation; about 19 years since, when I was at *Bristol* one Captain *Bayly* was building the
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Oxford Frigate, out of a curiosity I went to see it, and found the Captain on board; and falling into discourse with him, among other things, I told him, how scarce Timber was in *Suffolk*, but I hoped it was not so in the *West*; he told me it was much less there, then in the *East*, and that he was forced to get Timber for building the Frigate from beyond *Worcester*, which was above fifty Miles from the Place, yet the Forest of *Dean* between, which *Queen Elizabeth* called one of the Nurseries of her Navy Royal.

About five Years since, one Captain *Frame* undertook to build two Men of War for the King, and he bought Timber for building them in *Norfolk* and *Suffolk* near 20 Miles from *Great Yarmouth*, from whence it was carried to *Hull* by water to him: and I have a Tenant in *Suffolk*, who contracted about three years since with Timber Master's to be paid sixteen shillings a load, or run for carrying of the Timber for the Dock at *Ypswich*, to build their ships; which is I am Confident more than the *Dutch* pay for their Timber delivered, at their docks down the *Rhine* and *Maes*

Objection.

But if the *English* buy ships for the foreign vent of our Manufactures, our ship-Carpenters, will be undone for want of Employment,

Answer.

So here the Interest of Ship Carpenters is opposed to the Interest and safety of the Nation: but if these built ships, as good and convenient as other Nations, the Merchants would not look further,

but is there any reason because they cannot do it, the Nation must be undone ; Let them continue building ships for *New-castle* still, and they know no better ; yet this is observable, that though our *English* builders in this Trade have had a Monopoly in it, above these Hundred years ; yet having no better skill in it, and being too wise to be instructed, at last about five years since they found out, that it was better to build them somewhat longer ; yet these are the Artists our Merchants must trust to and no other. I am Confident that the *French King* understands the Advantages *France* reaps by the Act of Navigation ; and that this was the reason King *James* in his last Declaration, promised to observe this Act inviolably.

The thirteenth Expedient.

That the foreign vent of our *English* Manufactures, and the Product of our Plantations, be as free to the *English* in all Trades, as they are to *Spain* and *Italy*.

When any Man shall give a rational Answer to any of those manifold Reasons given by the 3 *Jac.* 6. for the Freedom of Trade to *Spain*, &c. I will recant all which hath been said in any of these Expedients ; or that there is not the same Reasons for the Freedom of the *English*, in venting our Manufactures and Product of our Plantations in all our foreign Trades, as well as to *Spain*, except to *Holland*, who by the cheapness of their Navigation, may vend them again cheaper in *Muscovy*, all the Countries and Kingdoms within the *Sound* ; and also to *Spain*, *Portugal*, *Italy* and *Turkey*, than the *English* can by their Navigation ; but this yet is but
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problematically said, not granted : But in case the *English* Navigation were as free and easy, as it is in *Holland*, then the Question would be at an end.

I do not speak this against the *English* Trading in Confort or Companies, for I know many Trades may be better carried on in Companies, than by particular Men ; but against the Usurpation and Tyranny of Companies, who because they Trade, therefore no other *English* shall ; and this I say, that if Companies, as the *Turkey* Company, (which of all others is least liable to exception) carry on their Trades best, for the Interest of the Nation, no particular Merchant could set up in competition with them ; but if they leave room enough for the *Dutch*, the *French* and *Venetians* to Trade to *Turkey* with their Woollen Manufactures, why should any *English* Merchant, not of the *Turkey* Company, be excluded herein, yet these Trades free to other Nations ? The *East-India* Company by their Charter claim, a liberty of Trade exclusive to the rest of the Nation, from the Cape of *Good Hope*, to the North of *China*, which if you take in both sides of the *Red-Sea*, and Gulph of *Persia*, and the Circuit of the Islands between the Cape of *Good Hope*, and the North of *China*, is above half the circumference of the Earth : So do the *African* Company from the Kingdom of *Morocco*, to the Cape of *Good Hope*, which if you take the Coast of *Africa* as it lies, is more than a Quadrant of the circumference of the Globe of the Earth ; so that these two Companies claim a Trade exclusive to the *English*, of above $\frac{3}{4}$ of the Circumference of the Globe of the Earth ; and if they had power as

great as their claim, they might give Laws to all the Princes of the World, as well as their poor fellow Subjects ; and it may be a Question, whether they would use them better ? And is not the *Hamburgh* Company broke ? And have not the *East* Country Company upon the matter lost our Trade into the *Sound*, which within these 60 years, was the best Trade the *English* had for Woollen Manufactures in the World ?

The fourteenth Expedient.

That the Customs upon the *French* Wines consumed in *England*, be $\frac{1}{3}$ more than upon *Portugal*, *Spanish* and *Italian* Wines, whereas the Duties upon these are $\frac{1}{3}$ more than upon the *French* ; because our Trades to *Portugal*, *Spain* and *Italy*, are beneficial Trades to the Nation, which by the abatement of these Duties may be increased ; whereas by the Ballance of our Trade with *France*, taken in the eighth Year of King *Charles* the Second, the Nation lost neer a Million yearly in their Trade with *France*.

The fifteenth Expedient.

That the Duties imposed upon Salt, Wines and Brandies, be paid by the first Buyer after they are Imported, and not the whole Cargo charged upon the Merchant, so that what is not consumed may be Exported again.

The Reason of this is, that so much more as Ships are fuller fraught, so much cheaper will the Navigation be, not only of these, but of all other Merchandize, which compound the fraught of the Ship ; and hereby the *Dutch*, besides the cheapness
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of their Ships, by compounding their other Merchandize with Salt, Wine and Brandies, which they Import cheaper than the *English*, make all their Trades to *Muscovy*, and all the Countries and Kingdoms within the *Sound*, so much more easy and cheap, as their Vessels are more full fraught, by these

Objection.

If Salt, Wines and Brandy imported, may be exported again, the King will lose his Customs.

Answer.

I say not at all, for how do they do in *Holland*; and by the 4 *Jac.* 2. the Additional Duties upon Tobacco's and Sugars are paid by the first Buyer, and by charging the whole Cargo, these are damned to a Consumption here in *England*, and if you did not, the King shall be paid for all that is consumed: On the contrary, I say, the King is more secured of his Duties hereby, than if the whole Cargo be charged; for let the Penalty stand, that the Merchant shall forfeit his Cargo, if he makes a false Entry, and who then will run the danger, when he is like to get nothing by it? whereas if the whole Cargo be charged, if a Merchant escapes but once he will be no loser, if he be discovered the next time he runs his Goods.

The sixteenth Expedient.

That it be free to the *English* to import Salt, Wines and Brandies in any Vessels.

The Reason of this is, because our *English* Navigation is so dear, that the *Dutch* import these much cheaper than the *English* can, and therefore can export them into other Countries cheaper; whereby the *English* cannot so well compound their Freight in their Northern vent of our Manufactures as the *Dutch*; whereas if the *English* were free to import Salt, Wines and Brandies in any Vessels, all the Manufactures of *England* might be vended from their next Ports, and not by a tedious and chargeable Land-carriage brought up to *London*, to be freighted from thence; and this benefit the Nation has naturally above the *Dutch* herein, that as our Woollen Manufactures are better than those in *Holland*, and may be cheaper had here than there, so we can Compound Fraights with Lead and Tin, which the *Dutch* have not, and can ballast the Ships with Sea-coal, cheaper than the *Dutch* can.

Objection.

If the *English* should freely import Salt, Wines and Brandies, we should undo all our Mariners and Shipwrights.

Answer

Answer.

What this again, and at large ? So that unless you undo the Nation, you cry out, *You are undone* ; but if you will do as well as other Men, you need not complain, for the *English* would imploy you before any other : But must the Nation be undone, because you are either ignorant, and will not, or have not means to serve the Nation.

Now let us see how far these Men would be undone, if the Importation of Salt, Wines and Brandy were free for the *English* in any Vessels : If Salt were freely imported, we should be so much better enabled to Cure Fish in all our Fisheries, and also in salting Provisions in all our Navigations, as well as the Navy Royal upon Occasions ; and be enabled to refine Salt so much cheaper, as Salt imported is cheaper : And what are the Ship-Carpenters hereby hindred, for they never built one Ship for this Trade, nor know how to build any other way, than for the *New-Castle* Trade, which is free both to imploy their Shipping and Mariners ; and therefore neither would be undone, if the Trade to import Salt by the *English* were free to do it in any Vessels.

For the Trade for *French* Wines, it is but three Months in the Year, viz. *October, November and December*, and these the most perillous of all the year for Navigation, and in the most rude and boisterous Seas in the World, and the outward vent to *France* no ways proportionable, but less by the

the Returns of the Wines ; and what would be the loss to the Nation, if these Ships were not thus endangered by this Voyage, or the Mariners not employed in it.

The Reasons for the Import of *Portugal*, *Spanish* and *Italian* Wines, are not the same with the *French* ; but if it were free for the *English* to buy Ships for the foreign Vent of our Manufactures, and the Product of our Plantations, the *English* hereby might in Return of their Trades, import Salt, Wines and Brandies cheaper from thence, than the *Dutch* can ; and if these were free to be Imported and Exported, I see no Reason why we might not reduce the *Dutch* to as low a Trade in to the *Sound*, and to *Muscovy*, as they were before the Year 1635, and in a great measure recover the loss of these Trades.

The seventeenth Expedient.

That no Duties be withdrawn upon the Export of dying Stuffs, and unwrought Sugars, from our *American* Plantations.

The Reason hereof is, that the Manufacturing of any Commodities is so much more valuable to any place by the Employment of the People, as the thing manufactured is more valuable than the Principles ; as it may be Wool, which is the Price but of one Shilling, if made into Cloth, may be of eight Shillings value, then seven Shillings will be Advantage to the Nation, by Employment of the People ; and if otherwise it were not wrought, these People might be a burden to it ; and the dying of Woollen Cloths, and til-
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ken Manufactures, is the best Employment for our Mid-land People, next the making of them; and by withdrawing half the Duties upon dying Stuffs, we entitle the *Dutch*, *Hamburgher* and *French* to dye woollen Cloths and Silks cheaper than we can: The same Reason is of withdrawing half the Duties upon unwrought Sugars, for hereby the *Dutch* and *French* may refine them cheaper than the *English* can; and thereby make them cheaper to themselves, and exclude us from the foreign vent of our refined Sugars, as much to their enriching and encrease of Navigation, as to our loss in both.

The eighteenth Expedient.

That it be free for all Nations to import, Pitch, Tar, Masts, Boards, Raff, and all sorts of Timber, and rough Hemp and Flax into all the Ports of *England* and *Wales* without Paying any Duties.

The reason of this is, hereby the *English* if they can get hands, may fit up Vessels not only for the Fishings Trades, but for all other foreign and domestick Trades; and so far as foreign Timber be employed in building Ships, we may build as cheap.

Objection 1.

The King by this will loose Considerably in his Customs.

Answer.

Answer.

It may be so, but hereby he will gain threefold more in Building, Repairing and fitting up of his Navy Royal: as I remember, when in 1667 after the burning of the City of *London*, endeavours were used to procure these to be freely imported for the benefit of rebuilding of it, upon search the Duties upon Pitch, Tar, rough Hemp and Flax in all *England*, did not amount to 1700 *l. per Ann.* and that very year the King granted the Customs upon Masts, Boards and Timber to Sir *Robert Paston* (after Earl of *Yarmouth*) onely reserving to himself (as I remember) 2600 *l. per Ann.* the greatest part whereof, was afterwards beg'd: How it stands now I know not.

Objection 2.

If this importation be free, we shall undo our *Norway* Merchants and Trades to *Liefland* and *Prussia*.

Answer.

And why undone; they are not excluded from Trading hereby; but suppose these traders be twenty, and they cannot, or will not supply the Kingdom so cheap as others; shall the Interest of the Nation, by Employing above (it may be) 100000 poor People in these all the year round, and we hereby be enabled at least to fit Vessels in all our Navigation, as cheap as the *Dutch*, and cheaper

Cheaper then the *French*, be postponed to the Interest of 20 particular Men, who by this are no ways hindered in their Employment, if they do it as well as others.

The nineteenth Expedient.

That all Foreigners may be free to exercise any Mystery in any Art, in any place in *England*.

The reason of this is, because if the Nation had all the benefits proposed in these Expedients, and all other imaginable Advantages, they would not be of further use to the Nation than they had hands to carry them on.

The Commons in the third *Westminster* Parliament upon the 31 of *December* in 1680, Gave leave to bring in a Bill for a General Naturalization of *Alien Protestants*, and allowing them Liberty to Exercise their Trades in all Corporations.

But why was this Leave to be given only to Protestant Foreigners: let's see how the Case stands, and what benefit the Nation can reap from it, now the *French King* has expelled the *Reformed* out of *France*: As the the Case stands, *Holland*, *France* and *Flanders* are the Places from whence we can expect any Benefit by this Liberty; In *Holland*, Protestant Artifiers are as Free and easy as in *England*, but in *Flanders*, though they be an industrious and honest sort of People, yet are all Popish; and I am confident, if they thought they might freely exercise their Religion in *England*, Multitudes so them, would seek an *Asylum* in *England*, to be freed from the Insults and Tyranny they

they are always subject to from the *French*; and it may be reasonably expected, that multitudes of People in the *French* Conquests, would flee the *French* Tyranny in them, if they might be free in their Religion in *England*, and it is not unlike, but upon Advantages given the *French*, we might procure many of them to Fish from our *Western* Ports, if they were free in their Religion.

Objection

But this Permission would disturb the Peace, and endanger the safety of the Church of *England*.

Answer.

Good men are scarce, and so these Men had need of taking care for themselves; and these Men are as careful of the Church, as the Freemen are of their Privileges, and rather suffer the Nation to sink, than they any ways Endangered.

Is not the Church of *England* in the Kingdom of *England*, and protected by it; so that if the Kingdom falls, the Church cannot stand? Did not our Saviour send his Apostles to propagate the Gospel in this World, though they suffered Persecution and Martyrdom for it; yet these good Men are fearful of themselves and the Church of *England*, if others come to support the Kingdom, and enrich them: When any Foreigners are planted here, have not the Church-men, if they will make it their Business, an opportunity of winning

winning them to the Church of *England*, and have Reason, and the Authority of the Kingdom to do it, and if these will not prevail, the fault is others, not theirs.

For my part, I detest the *Roman* Superstition and Idolatry, as much as any Man, and am as fearful of the Tyranny which the Pope claims, as well over Princes, as Men's Consciences, yet I apprehend no danger of either, by this Liberty granted to popish Artificers ; for it is one thing, for Jesuits and popish Priests to make it their business to pervert Men to their Sentiments, and another thing for poor popish People to make it their business how to subsist, which will take up their whole time, especially where they are in a strange place, and strangers to the People, unless by accident in their dealings for their support, and also to the Language of the People where they live : I would know what Inconvenience has followed, from permitting *Brewer*, and his followers, which were all Papists, to instruct our Natives in making, and dying fine Woollen Cloths ; and in all the Disturbances and Tumults of the late Times after 1640, let any Man shew me one Instance, wherein the *Walloons*, and their Descendants, planted in *London*, *Norwich*, *Colchester*, or *Canterbury*, contributed to any of them ; however they had been provoked thereto, both by Archbishop *Laud*, and Bishop *Wren*.

The twentieth Expedient.

That it be free for all Foreigners to purchase Lands and Tenements in *England*.

The Reason hereof is, because where Men purchase Lands and Tenements, they design a Habitation, whereby the Nation will be so much more peopled, as Purchasers are more, and the Kingdom so much more strengthened, and the King's Revenues so much increased, as these Purchasers, and their Families consume more Excizable Goods, or Foreign which pay Customs; and so much more as the purchase Money shall be more, so much more will the Nation be enriched; for the Lands and Houses we retain still, and the purchase Money is an addition to the Treasure of the Nation; and this is so much more an Advantage to the Nation, because no Man in it runs any hazard, or venture of Loss by it; whereas in all the Wealth which Merchants acquire by foreign Trades, they run not only the hazard of Loss, but of being undone.

The one and twentieth Expedient.

That a publick Encouragement be given to all Foreigners, which shall carry on the Fishing Trade from the Ports of *England*, in the *New-found Land* Fishery, and to *Greenland*, *Island*, *Westmony*, and upon the Coasts of *England* and *Scotland*, for the Taking and Curing *White Herring* and *Cod-fish*.

The Reasons hereof are manifold, for above all other

other Trades, the fishing Trade increases Mariners and Navigation ; for every Man in the fishing Trade becomes a Mariner, whereas in the *East-India*, and other Trades, it may be one thousand Artificers do not imploy one Mariner ; and in the *East-India* Trade, it may be a Question whether we do not lose more Seamen, or make more Mariners, and those which survive, by reason of the diversities of the Climates, and their feeding upon salted Meats, and drinking sour Drinks, are so feeble, that a Fisherman is able to fight and beat two of them : Add hereto, the Fishermen are always at home, and so at hand upon all occasions to serve the Nation, whereas in the *East-India* Trade you scarce hear of one in two Years, and not in a year from those to *Turkey*, and our *American* Plantations ; besides these Fishing Trades above all others, imploy all sorts of poor People at home, in making Ropes, Sails and Nets or it.

If ever these Fisheries be retrieved, it will be with great difficulty, and a work of time, considering the Poverty of the Coast Towns of *England*, and the Potency of the *Dutch* and *French* in supposing us, who are possessed of them ; and it is more difficult to retrieve a lost Game, than not to be able to play it before it be lost ; yet this benefit we have by it, that we have discovered how we lost our Game, and how the *Dutch* and *French* won theirs.

In the Fisheries upon the Coast of *England* and *Scotland*, besides the King's indubitable Right, whatever *Grotius* in his *Mare Liberum* says to the

contrary, the *English* may take in fresh Water and Provisions, and dry their Nets upon the Shoar, which the King may forbid Foreigners to do in their fisheries, which may be of great Advantage to the *English* ; for the *Dutch* begin their Fisheries of *White Herrings* upon the Coast of *Schotland*, or *Schetland*, upon the rising Grounds, (as they call them) and follow that Fishery four Months in the year, before the *Herrings* come to the Coast of *Norfolk* and *Suffolk*, where we begin ours, which Fishery we enjoy no longer than while the *Herrings* pass to the South of *Suffolk* ; so as the *English* enjoy this Fishery but about a Fortnight, or three Weeks, and I am told the *Dutch* in this Fishery, are three fold more than the *English*, tho' the *English*, by Men of War, force the *Dutch* to fish farther from the Coast than the *English* do ; yet this Advantage the *English* have above the *Dutch* in this Fishery, that they can Cure *Red Herrings*, which the *Dutch* cannot, for *White Herrings* cannot be Cured into Red, but when new taken ; so that the *English* so soon as they take them, bring them to *Yarmouth*, *Lestolf* and *Pakefield*, where they make them Red ; whereas the *Dutch* fishing a Fortnight, or three Weeks, before they return to their own Coasts, the *Herrings* become too stale to be made Red.

For the Employment of the *English* Natives in making Cordage, Nets and Sails, for the fishing Trades; its requisite that Work-houses be erected in every Port-Town for poor Children to be instructed in Spining and making Nets, and that rough Hemp, Flax, Pitch and Tar be bought

at a publick Charge, and laid up in publick Warehouses, and deliver'd to those who work by select Officers; so that these be not bought up by whole sale People, and by them sold to Retailers, to be sold to poor working People. These publick Stores though they be renewed, yet there need be no further charge to the Corporation or Port, after the first, because the first being paid out of the Labours of the working People, the Profit may buy more.

I think it were fit an Account were given to the Justices of the Peace of the next Division, of every Port-Town in their Quarterly Sessions, of the state of the Stock of the Port, as well as the poor People employed hereby.

And for increase of work-men in these Manufactures, it is fit that all Vagabonds, and wandering Persons should not be sent back to the places of their last Habitation, but to the Ports of *England* to work in them; for bunching Hemp, and winding Ropes, require but little skill, besides bodily labour, and Spinning and making Nets is soon taught; and that People which are punished by Whipping and Branding, and then let loose, should be punished with more than ordinary Labour in these, for some time, more or less, as the nature of their Crimes are, instead of those punishments: So that though our Timber be not so cheap and convenient, for building Vessels for the fishing Trades, yet when one is bought, we may fit it up for the fishing Trade, as cheap as the *Dutch*, and cheaper than the *French*, and our desolate Coasts Towns so much more peopled, as

Peopled shall be imployed in making Ropes, Nets and Sails for the fishing Trade.

I wish an Experiment were made of our *English* Hemp, cured in running Streams, whether it would not take Tar, and endure a straint, and not break, as well as foreign : I am sure of mine own knowledge, the Wretting and Curing it in running Streams will not kill the fish ; and if for that time it makes the Water bitter, so as Cattle will not drink it, Men, for as little charge, may make Pits for their Cattle to drink in them, as to cure their Hemp in them ; and if, by this means, our Hemp should make as good Cordage as foreign, I am sure above twenty thousand Acres might be converted to planting Hemp in the Isle of *Ely*, and the *Fen-Lands* in *Lincolnshire*, and manifold more in *Ireland*, which at present are of little use to the Nation, and if Hemp and Flax could be cheaper hereby, than they are imported from *Liesland* and *Prussia*, the Nation would save the foreign Expence ; but if Hemp and Flax should be planted, it is fit they should be exempted from payment of Tithes, for by it, it may be, foreign Hemp and Flax might be cheaper imported : But then where should People be got to these, it must be by Foreigners, or *Scots*.

Objection.

Hereby you would undo the Church.

Answer

Answer.

Not at all, for they have no Tythe-Hemp and Flax before they be planted, and so the Church and Church-men cannot lose, or be undone, in not having that they never had ; and why should the Interest of twenty or thirty Men, be preferred to that of the Nation ?

Suppose 10000 *l.* *per Ann.* should be given for binding two thousand Apprentices in the fishing Trade, and these, one with another, earn 20 *l.* *per Annum*, this would be 40000 *l.* a year benefit to the Nation, and in ten Years this would be four hundred thousand Pounds benefit to it : I would know which way Money could otherways be better employed.

The *French* King, at his own Charges, erects Schools in all the Sea-port Towns of *France*, to instruct Youth in Mathematicks in the *French* Tongue, *gratis*, and gives half pay to all young lusty *French*, for two years, who will imploy themselves in the *New-found-land* Fishery ; and is it not fit the *English* should give equal, or more Encouragement to the *English* for carrying on our Fisheries.

Suppose a Tax were given for this end, that all such Foreigners as would bring in any Fishing Vessels into any of the Ports of *England*, the Foreigner should be paid the full value of his Vessel, provided he laid out the Money in purchasing a Tenement or Land in *England*, to secure him, and his Interest in *England*. By this means

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Nation exports no Money, which it must do in buying a foreign Vessel ; the House and Land we have still, and gained a Vessel, and Master and Family, which we had not before, whereby the *English* may be instructed to cure *White Herring* and *Cod-fish*, as well as the *Dutch* ; and also how the *Dutch* and *Hamburgers* have improved the Whale fishery, as much to their benefit and Navigation, as our Loss.

It will be necessary, if the Nation designs to set up a Fishery from the Ports of *England*, that the Returns of Fish be imported Custom free, for otherways it will be impossible to increase the foreign Trade for Fishing, beyond the Returns which shall be consumed in *England*.

Objection.

This will hinder the King in his Customs.

Answer.

Nor at all, for the King has none in any of these Trades, so cannot lose by Goods imported in return of them ; but I say the King will be a gainer by the Excise of Beer, Brandies and Wines, in victualling Vessels in this Trade ; and by the Consumption of these, by these and their Families at home, which are employed in them,

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The two and twentieth Expedient.

That Encouragement be given for building Vessels for the fishing Trade, and our other Trades in *New-England*.

The Reason hereof is, the *English* had better furnish themselves with Vessels by their fellow Subjects, than depend upon Foreigners for them, if this can be as cheaply and conveniently done by those as these.

I am sure the Principles of building Vessels in *New England*, viz. Timber, Masts, Pitch and Tar, may be cheaper had in *New England*, than the *Dutch* can acquire these out of *Germany* and *Norway*, and little Iron need be used in building them, especially if instead of Iron-bolts *Trunnailing* be used, which is much better.

But this building Vessels for the Fishing, and other Trades in *New-England*, must for some time be done by foreign Carpenters, for our *English* know no other Modes in building, but for the *New-Castle Trade*, and these are the Ships which the Act of Navigation calls our *English built Ships*, which the *English* are obliged to Trade in, in all their other, as well as *New-Castle Trade*.

If the Parliament should give 2000 *l. per Ann.* for some time, as 5 or 6 Years, to twenty Ship-Carpenters which build Busses, and other Vessels in other Trades, to be paid above the wages given in *Holland*, viz. to each one Hundred Pounds a Year more : I do not believe but that they may be had upon these Terms, and the Inhabitants of
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New-England are an industrious and numerous People, and already build Vessels, as well for their Trades to our Plantations, as to *England*, and would understand how much their Interest would be improved hereby; having Hands enough, and Materials better and cheaper, than can be had in any other place.

The three and twentieth Expedient.

That the Ports of *England* be free for all Foreigners to Import and Export all sorts of Merchandize.

The Reason hereof is, that the Wealth of every Nation consists in Goods more than Money, so much therefore as any Nation abounds more in Goods than another, so much richer is that Nation than the other; for Money is of no other use, than as employed in Trade, and the defence of the Nation; and therefore wherever the Market is, Money will follow, and *Holland* and *Spain* are plain Demonstrations hereof; for there is no Money in *Holland*, but what they acquire by Trade, yet have no Principles of Trade, neither for Navigation nor Merchandize; whereas *Spain* has yearly many Millions of Treasure in it, and manifold Principles of Trade and Navigation, yet can keep no Money, whilst *Holland* abounds with it.

Suppose we should lose one hundred Sail of our Laden Merchant-men, and all the Men, were it more or less, will not any Man say the Nation will be so much impoverished and weakened, as the

the Goods and Ships are in value, and the Mariners more. Convert the Proposition then, and suppose by the freedom of our Ports, Foreigners should bring in as many Ships and Goods of like value, and like number of Mariners, would not this be as much an enriching and strengthening of the Nation, as the other was an impoverishing and weakning of it.

Does not *Leghorn* flourish above all the Ports of *Italy*, by the Freedom of it? And does not the Pope see the convenience of it, by making *Civita Vecchia* a free Port? And does not *Gottenburg* flourish above all the Port-Towns of *Norway*, though made a free Port, but for a time?

Sure a Stander-by would be amazed to see such vast Fleets of *Dutch*, *Hamburghers*, *Danes* and *Swedes*, every Year pass by our excellent and safe Harbours of *Falmouth*, *Plymouth*, *Dartmouth*, *Portsmouth*, and *Harwich*, which are always open; to encounter the Sands of *Zealand*, and the unsafe passage of the *Fly*, or *Vly*, into the *Zeuder* Sea, where they are all the Winter in great danger to be stranded by stormy Weather, and to be halled over the *Pampus* to prevent it, and the Rock before *Hamburg* and *Gottemburg*, and where they are frozen up commonly three Months in the Year: But more, if he be told the reason of it, which is, *Hell* and *Shipwrack* is not more dangerous than our Ports, by the Act of Navigation, and the Law against Foreigners freedom of Trade in *England*; yet the *English* enjoy that Freedom abroad in *France* (when at Peace) in *Spain*, *Portugal*, *Italy*

ly and *Turkey*, which they deny others at home; and herein we'll observe our Saviour's Rule, *To do, as to be done by.*

Admit the Freedom of our Ports should procure no Foreigners to inhabit with us, yet by their Trades, and laying up their Ships in Winter-Seasons, the Nation would acquire the benefit of Victualling their Vessels, and supplying the Masters and Mariners with Provisions during their abroad, which would increase our Markets, and enrich the Nation.

Objection.

If our Ports were Free, we should undo our Natives in all their foreign Trades.

Answer.

I expected no better Reasoning, but if we keep our *New-Castle* Trade, and that to *Ireland*, and our Plantations, exclusive to Foreigners, let any Man shew wherein this Nation can receive any prejudice by Foreigners importing any sort of Goods, or by exporting ours if the Natives be free to buy Ships, for my part I know none, except by the *French* bringing in wrought Silks; and this is a needless fear, now Silken Manufactures are so well wrought here, that if raw silks be freely imported, silken Manufactures will be cheaper wrought here, than can be imported from *France*, and some fine Needle Works in Linen from *France* and *Flanders*; forbid then that from *France*, but permit

permit it from *Flanders*, thereby to enable them to hold a better Correspondence with us for our *Woollen Manufactures*.

CONCLUSION.

I Have done, and I do not know, but that I am the first that ever began a Work of this Nature ; and I was the rather induced to it, because though the Employment of People, and the Freedom of Trade, be the two Great Principles of the flourishing and happy State of any Country ; yet the Nobility, Gentry and Clergy, whose Interest it is to have these, make it not their business to understand them ; and our Merchants, who are as understanding a sort of Men, as any are in any other Country, though they understand that Freedom of Trade, and Employment of People, be the greatest Happiness of any Country, yet these, (especially those who Act in Companies exclusive to the rest of their fellow Subjects) understand it to be their Interest in continuing the State of Affairs in reference to Trade, as they now stand, for hereby they have the Employment of the Natives in their own power, to take what they please off their hands in foreign Trade, and at their own Prizes ; beyond which,
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the Natives cannot be employed in the foreign Vent of our Manufactures, and the Artificers in them reduced to poor Estate, and multitudes of poor People made hereby a burden to the Nation, besides manifold others seek their Subsistence (for all Creatures desire to subsist) by ungodly means : And as in the foreign vent of our Manufactures, so the restraining the Import of foreign Commodities to our *English* Merchants (especially those who trade in Companies exclusive to their fellow subjects) is not less injurious than the Export of our Manufactures, for hereby the Merchants impose what Rates they please upon our poor Artificers, and those which cannot come up to their Terms, must not be employed.

Nor is it better in the Domestick Trades of our Manufactures, for few Manufactures can be managed but in Towns, and frequented places, where the Workers may be assisted by others, and with those things which they stand in need of in their Employments ; yet all our great and frequented Towns in *England*, are Corporations and Market Towns, which exclude thousands of Artificers out of them, for not being free of them, or not having been bound Apprentices in them, whilst these Free-men, by the Prerogative of their Freedom, impose what Rates they please upon the poor Artificers, and set their own Prizes upon the Nobility, Gentry, and others who buy of them.

He that begins any Work, labours under manifold more Difficulties, and is more subject to error, than another who builds upon his Foundation : This is my Case, and therefore am more excusable for the Frailties and Errours I may have committed in this Design ; but upon the Discovery of any, I promise to recant it : I am sure my Intention is honest herein, being for the good of my Country, and those Labours are best, which are spent in the benefit of it.

F I N I S.
